ARTIES LOSE

Condemned by Foes ...d to Communists

...Council Is Killed

... DEFEATS LUMBARD

...ratic-Liberal Choice for ... Bench Wins—Rains Retard Balloting

By JAMES A. HAGERTY

...e voters of New York City, in ... third attempt, repealed the ...portional representation method ...electing members of the City ...ncil in yesterday's election and ...stituted elections by State Sen... districts.

Incomplete returns indicated ...at Proposition 4 to repeal PR ...d been carried by a majority of ...proximately 50,000. Returns ...m 1,200 out of 3,757 districts in ...e entire city showed a yes vote ...n the proposition of 815,381 and ...a vote of 510,501. This was an ...ed majority of 304,880 and an ...ed majority of 349,494.

...e result was a victory for the ...ratic and Republican organi... which supported repeal and ...t for the leadership of the ... Labor, Liberal and Com... parties, each of which has ...bers of the present Coun...

...Political circles the success of ...ratic and Republican or... in repealing PR was ...rgely to the presence of two ...ists in the Council. Pro... representation was first ... in 1936 by a majority of ... An attempt was made t... PR by a constitutiona... in 1938, which lost by ... of 927,281 in a State-... A direct attempt to re... amendment of the city ... by 216,887 in a city-... in 1940.

Hailed by Sampson

...J. Sampson, leader of ...hailed the repeal of PR as "a major setback for the subversive elements in the city, State and nation." Wed 11-5-47

"It is a victory for democracy and Americanism," Mr. Sampson said.

City Councilman Eugene P. Connolly, secretary of the New York County Committee of the American Labor party, declared:

"Tammany Hall and its allies have at long last succeeded in destroying the coalition between labor and the Democratic party so carefully nurtured and built by Franklin Delano Roosevelt. The fruits of its irresponsible policy which gave the mtoday's Pyrrhic victory will have the greatest consequences for them."

Representative Benjamin J. Rabin, Democratic and Liberal candidate for Supreme Court Justice in the First Judicial District, defeated Justice J. Edward Lumbard Jr., his Republican and American Labor party opponent. Justices Charles B. McLaughlin and Edward R. Koch were re-elected without opposition.

Returns from 900 election districts out of 1,679 gave Mr. Rabin 278,612 and Mr. Lumbard 177,869. This is an actual majority of 100,743 and an indicated majority of 188,048. Mr. Lumbard conceded the election of Mr. Rabin at 9:25 o'clock.

Edward J. Flynn, Bronx Democratic leader, declared that the election of Mr. Rabin showed that the Democratic party could function successfully in New York City without the aid of or dictation from "the Communist-controlled American Labor party."

"If the two major political parties adopt the courageous course of rejecting Communist support, I predict that the American Labor party will dwindle, as did its predecessor, the Communist party, into political insignifcance," Mr. Flynn said.

In the Second Judicial District, Murray Hearn, Charles E. Murphy and George J. Beldock, Democratic, Republican and Liberal party candidates, were elected to the Supreme Court by large majorities over their Labor party opponents.

In New York county, Surrogate James A. Delehanty was re-elected wit Hylan Glickstein, Labor party nominee, his only opponent. Justices Samuel C. Coleman, Rocco A. Parella and Henry S. Schimmel were re-elected, all without opposition. Lester W. Patterson was re-elected Bronx County Judge his only opposition coming from candidates of the Labor and Liberal parties.

In the Fourteenth Congressional District, Brooklyn, Abraham J. Multer, Democratic and Liberal candidate for Representative, was elected to fill the vacancy caused by the resignation of Leo F. Rayfiel on appointment as United States District Judge. Mr. Multer defeated Jacob P. Lefkowitz, Republican, and Victor Rabinowitz, Laborite.

Returns from 100 election districts out of 156 gave Mr. Multer 30,896, Mr. Lefkowitz 8,540 and Mr. Rabinowitz 13,811.

District Attorney Charles P. Sullivan of Queens was elected easily, defeating George W. Herz, Republican, and George Rifkin, Liberal.

Returns from 500 election districts out of 760 gave Mr. Sullivan 149,997, Mr. Herz 80,078 and Mr. Rifkin 10,948.

Former District Attorney Farrell M. Kane, Democratic and Liberal candidate, was elected City Court Justice in Richmond, defeating Angelo Costantino, Republican, and Philip Weiss, Laborite.

Returns from 75 election districts out of 101 gave Mr. Kane 22,006, Mr. Costantino 13,110 and Mr. Weiss 952.

Joseph Zaretski, Democrat candidate for State Senator in the Twenty-third District, won a four-cornered race to fill the vacancy caused b ythe resignation of Alexander A. Falk on appointment to the State Civil Service Commission. Mr. Zaretski defeated Peter Moraites, Republican, Raymond C. Ingersoll, ALP, and Maurice S. Calman, Liberal.

Returns from 100 election districts out of 155 gave Mr. Zaretsik 23,521, Mr. Moraites 11,941, Mr. Ingersoll 8,428 and Mr. Calman 4,114.

Braisted Wins in Richmond

John M. Braisted Jr., Democrat, was elected State Senator in the Seventeenth District, Richmond, replacing Robert E. Johnson who resigned to run for District Attorney. Mr. Braisted defeated former Senator Robert S. Bainbridge, Republican; Frank Cremonesi, Laborite, and John T. Conolly, Liberal.

Returns from fifty election districts out of 101 gave Mr. Braisted 13,777, Mr. Bainbridge 8,150, Mr. Cremonesi 707 and Mr. Connolly 404.

In the Sixth Brooklyn Assembly District, Democratic and Liberal candidate John J. Ryan defeated Lawrence S. McGoldrick, Republican, and I. Philip Sipser, Laborite. Mr. Ryan succeeds Robert J. Crews, who resigned from the Assembly to become secretary to Supreme Court Justice William T. Powers.

Complete returns gave Mr. Ryan 10,984, Mr. McGoldrick 6,963, and Mr. Sipser 7,408.

In the Seventh Queens Assembly District, which has been represented by a Republican since 1940, George P. Stier, Democratic, Labor and Liberal candidate, defeated Anthony P. Savarese Jr., Republican.

Returns from 25 election districs out of 74 gave Mr. Stier 7,229 and Mr. Savarese 4,915.

Herman Methfessel, Democrat, was elected District Attorney of Richmond, defeating Robert E. Johnson, Republican, and Thomas Nunley, Liberal.

Returns from 50 election districts out of 101 gave Mr. Methfessel 13,699, Mr. Johnson 8,767 and Mr. Nunley 451.

City Councilman Thomas J. Mirabile, Democrat, was elected to that body in the only Council contest, defeating Angelo J. Cincotta, Republican; Mrs. Ada B. Jackson, Laborite, and John F. Kelly, Liberal.

Returns from 1,000 election districts out of 1,218 gave Mr. Mirabile 254,806, Mr. Cincotta 114,211, Mrs. Jackson 109,608 and Mr. Kelly 57,399.

Voting in the city was hampered by a wind-driven rain, which stopped for a short time in the late afternoon. Early voting also was hampered by defective voting machines in several election districts. Substitute machines were provided in each instance, but the delay caused a comparatively small number of voters to lose their votes.

Although there were numerous complaints of electioneering at the polling places inside the 100-foot limit, the election as a whole passed quietly. Monroe Percy Bloch, counsel to the Honest Ballot Association, said that reports received at the association's headquarters, 27 William Street, indicated that the election was free from fraud or use of force, and was one of the most quiet held in the city in many years.

However, Arthur Schutzer, state executive secretary of the American Labor party, sent the following telegram to Police Commissioner Wallander:

"Watchers report widespread violation of Election Law by Tammany election workers, who are distributing political literature against PR inside the polling places. Because of rain these persons are simply transferring their electioneering from a point 100 feet away from outside the polling places, where the law requires them to be, to the inside, where they are clearly forbidden to assemble or electioneer. Request you issue immediate instructions to police to enforce law by halting this brazen electioneering."

The first election arrest reported was that of Max Weinberg, who was accused of distributing pamphlets in front of a polling place at 48 West Eighty-sixth Street.

Mr. Weinberg, when arraigned before Magistrate Philip N. Thurston, said he was a Democratic election district captain and that he was standing in front of the polling place with a pamphlet advising a "yes" vote on all propositions and amendments in his hand. He was released in custody of his attorney for a hearing tomorrow.

Commissioner Wallander made a tour of Manhattan election districts and on his return to police headquarters said he had found the election progressing smoothly.

A sergeant and six patrolmen were on duty in Public School 168, at 316 East 105th Street, to which Joseph Scottoriggio, East Harlem Republican election district captain, was walking when he was fatally beaten by assailants on election morning a year ago. No trouble from this neighborhood had been reported when the polls closed.

Voters in a score of election districts in the Twentieth Brooklyn Assembly District were delayed early in the morning because the names of three candidates for Municipal Court justice had been accidentally omitted from the voting machines. The missing names were placed on the machines by 9 o'clock.

The Liberal party line was omitted on a machine in the polling place for the Sixth Election District of the Seventh Brooklyn Assembly District at Forty-third Street and Seventh Avenue. There had been 277 votes cast before the omission was discovered, leading to possible legal complications if there should be any close contests that might be affected by the omission.

Wearing a brown and yellow necktie bearing a hand-painted figure of a tiger, which he described as his "lucky tie," Frank J. Sampson, leader of Tammany, after voting at 246 West Fourteenth Street, predicted repeal of PR and the election of Representative Benjamin J. Rabin to the Supreme Court.

"As a native New Yorker, I feel that the city will vote right," Mr. Sampson said. "Behind the iron curtain oppressed millions are looking toward New York for a sign of hope. PR, the means of enslaving most of Europe, will be repealed here in the most democratic city in the world."

Mr. Sampson was accompanied by Mrs. Sampson and Vincent R.

Officials Elected

* Denotes Incumbent

Supreme Court Justice

Municipal Court Justice

Manhattan

Dist.

1†—*Michael R. Matteo, D-R-ALP-Lib.
1†—Thomas C. Chimera, D-R-ALP-Lib.
2—*Joseph Raimo, D-R-ALP-Lib.
3—*Joseph B. Rafferty, D-R-ALP-Lib.
4†—Vincent DePaul Gannon, D-Lib.
4†—Cornelius D. McNamara, D-Lib.
5—*Abram Goodman, R-D-ALP-Lib.

Queens County

(Two Vacancies)

*Rocco A. Parella, R-D-ALP-Lib.
*Henry S. Schimmel, D-R-ALP-Lib.

Richmond County

*James J. Conroy, D-R.
*Thomas J. Towers, D-R.

Surrogate—New York County

*Charles P. Sullivan, D.

District Attorney—Richmond

Herman Methfessel, D.

District Attorney—Queens County

*James A. Delehanty, R-D-ALP-Lib.

City Court Justice

New York County

(Three Vacancies)

*Samuel C. Coleman, R-D-ALP-Lib.
*Lester W. Patterson, D-R.
Farrell M. Kane, D-Lib.

General Sessions Judge

New York County

(First District—Three Vacancies)

Benjamin J. Rabin, D-Lib.
*Charles B. McLaughlin, D-R-ALP-Lib
*Edward R. Koch D-R-ALP-Lib.

(Second District—Three Vacancies)

*Owen W. Bohan, D-R-ALP-Lib.
Murray Hearn, D-R-Lib.
Charles E. Murphy, D-R-Lib.

County Judge—Bronx County

George J. Beldock, R-D-Lib.

7—*Charles Marks, R-D-ALP-Lib.
8—*Mario G. DiPirro, R-D-ALP-Lib.
9—*George L. Genung, R-D-ALP.

Bronx

2—*James W. Donoghue, D.

Brooklyn

3—*Thomas E. Morrissey Jr., R-D-Lib.
6—*Edward Cassin, D-R-Lib.
7—*Harry P. Eppig, D-Lib.

Queens

3—*Edward J. Smith, R-D.

Congress—Brooklyn Dist.

14—Abraham J. Multer, D-Lib.

State Senate—Manhattan

23—Joseph Zaretski, D.

Richmond

17—John M. Braisted Jr., D.

State Assembly—Brooklyn

6—John J. Ryan, D-Lib.

Queens

7—George P. Stier, D-ALP-Lib.

City Council—Brooklyn

*Thomas J. Mirabile, D.
† = Two Vacancies

THE RESULTS ON PR

A study of the vote by which New York City repealed the Proportional Representation system of electing its City Council reveals some interesting points, especially when a comparison is made with the tests of other years on this same issue.

The sweep against PR went through all five boroughs, and through all but fifteen of sixty-seven assembly districts. In the city as a whole PR won a little over 38 per cent of the vote cast, a very slender showing when it is considered that most Presidential elections are won on a swing of a few percentage points. PR was voted into effect in 1936 with 62 per cent of the votes cast, sustained in 1938 with 68 per cent, and again in 1940 with 58 per cent. The extent of disillusion of the voters with the results of PR seems to have been emphatically demonstrated.

An analysis of the registered electorate who went to the polls on this issue through the years is also significant. In 1936 2,900,184 were registered to vote in New York City, in 1938 2,423,976, in 1940 (a Presidential year) 3,390,460, and in 1947 2,356,248, a huge registration for an off-year. In spite of the bad weather, 64 per cent of the registered voters took a position on PR day before yesterday, as against only 50 per cent in 1936, 46 per cent in 1938 (when there were 1,184,259 blank and void votes) and 40 per cent in 1940. The impressively large percentage of registrants who not only took the trouble to visit the polls on a rainy day but also cast their vote on the PR issue is evidence of how deep the feeling was. Those voicing an opinion on PR passed even the number of total voters in the city on the housing propositions, and came within about 60,000 of equaling the total vote on the veterans' bonus 5.11-6-47

Three other cities that have used PR also voted Tuesday on its retention. Boulder, Col., which had it for thirty years, discarded the system by a vote of nearly three to one. Long Beach, N. Y., abandoned it, and the closeness of the vote in Cincinnati, where it won out, showed the substantial distrust of the system there.

We do not believe that the distrust so strongly registered in New York City will be lessened if a new test on the question is proposed next year.

Against P. R.

Fragmentation Seen in the Type of Representation Postulated

To the Editor of The New York Times:

The arguments presented in favor of P. R. in the course of the present campaign contain a challenge to what constitutes the essence of the democratic process. It is held that if the Communists, the ALP and the Liberal party each elect two members of the City Council under P. R., they are entitled to them. To deprive them of these seats by holding the elections under the plurality system in Senatorial districts is considered unfair.

To establish complete proportionality between the votes cast and the seats obtained, which is the goal of P. R., the city ought to form one single constituency; proportionality should not stop at the borough limits, as it now does. A well-informed observer recently predicted that in the case of city-wide P. R. elections a candidate of some "Christian Front" would be certain of election; others have predicted that this result might occur even under the present arrangement as soon as another depression gives the damagogues of the Right an opportunity which they would not fail to exploit. With Fascists pitted against Communists in the Council and the moderates being divided by economic interests and similar factors of disintegration, it would be obvious that the kind of representation postulated by the theory of "proportional representation" is fragmentation.

No Discrimination

Elections under the plurality system mean integration. There is no discrimination against anyone. All a candidate—any candidate—has to do to make certain of election is to secure the support of more than 50 per cent of the voters. This necessitates winning to his side a cross section of voters belonging to all religious, racial, national and social groups. These voters must sink their differences, and a platform must be developed on the basis of which all can cooperate. The decision between the candidates is made by the independent voter; having to appeal to him, the candidate must temper his partisanship sufficiently to come, with variations according to localities, close to a "middle of the road" position. If this procedure defeats extremists, it does not "drive them underground." In New York it is proposed to elect the City Council in Senatorial districts, under the same system of voting as applied to the elections of the State Senate. No Communist has ever been elected to the State Senate or to any other body but the city's P. R. Council. Who would contend that, as a result, the Communists have been "driven underground"?

Proportional representation dispenses with this process of integration. A fraction of the total vote is enough to elect a candidate. Some may, and will, succeed by appealing to groups characterized by a narrow appeal to a special interest or a special bias, and abandon any concern for the general welfare. If this process is carried far enough and continued long enough, there can develop, even in a country with firmly established democratic traditions, what Walter Bagehot predicted in the case of the adoption of the Hare system of P. R. in his own country: "The House * * * would be made up of * * *characteristic, and therefore immoderate, representatives, for every 'ism' in all England." Does either fairness or justice require the substitution of this process of disintegration for the one of integration characteristic of the majority system?

Slowing Down Process

As long as P. R. applies to city government alone, the major political parties presenting candidates are shaped by the plurality system as used in state and national elections. This fact will slow down the process of disintegration as much as does the artificial limitation of proportionality now in existence in New York. According to the leading proponents of P. R., however, the new system of voting is not intended to stop at the city limits.

What would the application of P. R. to our national elections mean? In a book on Proportional Representation written by George H. Hallett Jr. in conjunction with C. G. Hoag, the British elections of 1923, in which no party secured a majority, are said to be "an approach to proportional representation." The authors comment: "Such a situation, which might often occur under P. R., is essentially a wholesome one." They proceed to consider the contingency that there might be no majority in the Congress of the United States, and conclude that in this case: "The House of Representatives would become representative in fact as well as in name."

If this is the meaning of representation, it is different from what Madison, Hamilton, Jefferson and the rest of the founders of the American Republic understood it to be. These men did not have to face the issue of P. R. explicitly as we have to do, but they left no doubt that, for them, representation meant integration rather than fragmentation. FERDINAND A. HERMENS.

South Bend, Ind., Oct. 15, 1947.

Negro Veterans Back PR, Bonus

The New York State Council of the United Negro and Allied Veterans yesterday asked voters to keep Proportional Representation and to okay the state veterans bonus amendment. It also asked for approval of the housing proposal which provides for additional state funds for low cost housing.

In Brooklyn's 14th Congressional District, Victor Rabinowitz, American Labor Party candidate for Congress, declared that the stand of Democratic and Republican leaders on proportional representation is graphic proof that there is no real difference between the two old parties.

"It is no surprise to find them advocating repeal of our democratic election system under the tattered banner of 'Un-Americanism'," he said.

Charles S. Zimmerman, manager of the Dressmakers' Union, Local 22 of the International Ladies' Garment Workers' Union, called on the 36,000 members of his organization to vote "No" on the proposal to repeal PR.

A sharp attack on the House Un-American Activities Committee by O. John Rogge, former special assistant to the U. S. Attorney General, highlighted three meetings sponsored by Progressive Citizens of America Wednesday night in Brooklyn's 14th Congressional District.

NAACP Supports PR

NEW YORK— Retention of the proportional representation system of voting (PR) was urged at a meeting of NAACP branches in New York City at Freedom House October 20. The newly-formed Council of branches composed of executive committee members in the metropolitan area stated that PR "is the best method thru which minority groups can be assured of satisfactory representation in the City Council."

PR Is Part of the Big Fight

THE letters PR are muttered these days with the same hatred as the letters FDR were once uttered.

Fundamentally, it's the same people who hated the one who now hate the other.

It's the democracy-haters no matter how they disguise themselves, or what arguments they use.

New York's PR fight is an important part of the nation-wide effort of Toryism to drive the U.S.A. to the right, away from the New Deal era and all its "radical" aspects.

PR allowed the labor and left wing minority to have a voice in the City Council. It allowed a Negro who spoke for his people and not for any dollar-controlled machine to reach the city's highest body. It permitted the Communists and their friends to have representation according to exact proportion of their numbers. It permitted the American Labor Party to win office.

In short, PR opened the way for the trade unions, the progressives, the Negro people, and for the Communists to have democratic rights.

And this is what has been eating out the hearts of the machine politicians, the Roosevelt-haters, the old Christian Fronters, the Coughlinites, the professional stooges of Big Business in the American Legion, and other enemies of the common people.

The fight to turn New York back to the machine bosses is linked to the sweep against democracy in Washington, in the "loyalty purges," in the "thought control" clauses of the Taft-Hartley Law.

It's part of the pattern which has caused professional "street fascists" to mob a PCA rally in Philadelphia which protested the Un-American Committee's attacks on the Bill of Rights.

Behind the fight to kill PR is the move to encourage the Coughlinites in New York, the hooligans, the anti-Semites, and the tin-box crooks.

* * *

VOTERS today should concentrate on the three big issues—

Defend PR by voting "NO" on the proposition to abolish PR (proposition number 4, the last on the line of amendments and propositions on the top row).

Vote "YES" on the housing and veterans bonus propositions, and all the rest.

There are thousands of voters who even at this late hour do not understand the PR issue and how to vote on it only because no one has explained it to them.

Get your friends and neighbors out to vote NO today on the last item on the list and YES on all the others on the top row. Vote for all the American Labor Party candidates on Row C.

PR IS REPEALED

We believe the cause of sound government has been served in the passage of Proposition IV, by which New York City voters yesterday rejected the Proportional Representation system of electing the City Council.

PR had a full ten-year test. It did not live up to expectations. The Councils so elected did not truly reflect the political sentiment of the people. Democrats continued to dominate the electorate. Communists and other radicals won seats far beyond their just due because they had learned how to

It did not reflect the tendency of the electorate as a whole would finally become skilled in use of the ballot proved unjustified. The result finally was a Council splintering entirely inconsistent with the Democrat party's known strength among the Republican use PR and make deals to serve their membership was confined to a smattering of Tammany. Fusion ends. The early hope that the Council was confined to a small Guardia, Joe

for strange beliefs, a debating society given over to special pleaders and adoption of resolutions on national and international matters plainly outside the province of a local legislative body. With a few exceptions the members have been undistinguished. District representation was gone, under borough-wide election, and the electorate could not hope to know more than one or two of the candidates for whom they were voting. PR as a theory sounded good in some ways. The practical results in five elections so held were disappointing.

Now an entirely new system has been voted in, not returning to the old 65-member Board of Aldermen, but setting up a Council of twenty-five members elected on a neighborhood representation basis from State Senate districts. Those who supported repeal of PR in the interest of good local government have the further duty now to see to it that the new system actually brings good government. The Democrats have had sufficient warning in recent years to know that an aroused electorate, vigorously led, can turn them out of office in elections held on the old-fashioned majority basis, and keep them out for years, for failing to behave in the people's interest. That interest requires able men and women, and not party hacks, as nominees for the Council. Wed. 11-5, 47

For the Republicans the repeal of PR means an opportunity and a challenge. Twelve seats in the city's delegation to the State Senate are now held by Republicans or Republican-American Laborites, as against six regular Democrats and others with bi-party endorsement. If the Republicans will put up strong candidates for the Council and then take the trouble to see that Republican voters go to the polls they can insure a Council that at very least has a healthy and effective Republican minority.

Face to Face

The campaign to kill PR reveals itself as pro-fascist incitement

Sunday

By Benjamin J. Davis

THE reactionaries, professional war-whoopers and pro-fascists who are behind the drive to kill PR have departed from reason, and thrown sanity out of the window. All one hears from them are shrill cries of "Red" and "Communist," uttered in the same manner, undoubtedly, that the confederate-rebel slave-owners in 1860 heaped the fires of damnation on every citizen Abolitionist who thought the Negroes should be free. 11-2-47

Even the staid humbuggery of the anti-PR editorials in the **New York Times**—"respectable front" of this disgraceful cabal—has not been able to give its wild pro-fascist allies the appearance of decency.

The campaign against PR has been undergoing a series of qualitative changes, until now it stands fully revealed for what it is. It is not an election campaign that is being conducted by the capitalist press, the reactionary politicians and their big Wall Street backers. There are no sober arguments coming from the anti-PR side, no reasoning worthy of the attention of the intelligent people of this city, no objective, even if impassioned, effort to weigh the issues involved so that the voters—Republicans, Democrats and independents—would be adequately informed. Quite the contrary. The Worker

THE campaign to kill PR has revealed itself as a series of pro-fascist incitements, provocations and open calls to violence put on by the most sinister circles of the city in which even the underworld is being drawn in as stormtroopres. I am sure this campaign is revolting to the Republican and Democratic voters. Tammany Hall and the Republican county bosses are doing the bidding of the financial and realty interests who want a hand-picked City Council which will put the burden of growing economic crisis on labor and the working people of this city. New York, N.Y.

They want a Council that will not fight for child care nurseries, that will wink at police brutality, that will not enact anti-discrimination laws, that will okay the 10-cent fare, that will cut the relief budget in the face of increasing employment, that will veto the people's will on housing and veterans' rights. They want a Jimcrow lily-white legislative body, from which the Negro's own representative is barred. They want a Council of 24 Tammany hacks (the Democrats control all 25 State Senatorial districts) and maybe one Republican, who wouldn't be worthy of touching the hem of Stanley Isaacs garment.

Frank Sampson and Tom Curran, naturally don't want to meet these—the real issues. Instead, they are substituting hysteria, wild red-baiting and an attempt to stampede the voters of the city into cutting their own throats, so to speak. They have dotted the city wall-high signs "Throw the Communists out," which is not a campaign slogan but a Nazi whoop for violence. They are seeking to poison our city with a fascist-like atmosphere, which is already having shocking effect. The Worker

CERTAIN reactionary American Legion leaders have announced that two legionnaires will be placed at every poll to compel people to vote "yes" on PR. The newspapers, including the **Times**, have played up the statements by some little petty fascists suffering from delusions of grandeur that they are ready to deal with "Communists with their their bare hands," which, of course, means anyone that has a progressive idea. Emboldened by Tammany's call to "throw" people around, hoodlums have attempted to provoke riots and break up pro-PR street meetings. Shall we wait until mobs are incited to break up law-abiding, peaceful meetings as in Trenton, N. J.?

Meanwhile, District Attorney Hogan maintains a disinterested silence. Not one thing has he done to guarantee the right of free speech and free assemblage, not even a warning to the reactionary Legion officials who brazenly threaten to interfere with free elections on November 4. Neither District Attorney Hogan nor Police Commissioner display any more interest in this gangster activity than they do in the cases of 26 Negroes who were lawlessly and cruelly beaten by policemen in New York.

However one may stand on PR, no citizen can fail to notice the atmosphere of terror and fascist red-baiting which is descending upon New York as a result of the efforts of the corrupt political machines to get rid of the system that has thwarted complete boss-control of New York. New York, N.Y.

Saving PR is now not only vital to the election of unbossed, people's representatives to the City Council. The victory of PR is essential to give a rebuff to the dangerous storm-trooper atmosphere being developed by reaction, its underworld tactics and allies.

THE RECORD ON PR—IV

One of the most serious objections to the Proportional Representation system of electing our City Council is that it fragmentizes the electorate into a number of splinter parties or independent candidacies based on shades of political opinion, racial loyalties, isms, or religious grounds. This is illustrated by the last Council election, in 1945, which seated fourteen Democrats, three Republicans, two Liberals, two American Laborites and two Communists. It is illustrated even more forcibly by a study of the full list of candidates in the five boroughs, which included—in addition to the parties above—Citizens Non-Partisan, City Fusion, Socialist, Trotskyist, American Veterans, Independent Citizens Committee and, in addition to these, no fewer than twenty-seven individuals running under no party designation. The Mirror

In warning the voters against accepting PR in 1936 the late Alfred E. Smith said: "I believe that the whole theory of representing every minority on the city legislative body is wrong. I realize that it has great charm for those who want to break down the larger parties, encourage minorities and substitute free-for-all oratory and wrangling for orderly government. * * * Party government as applied to municipal elections is a long way from perfect, but abolishing party government in favor of minority crackpot candidacies is going to be infinitely more irresponsible, especially when it is coupled with destruction of local district representation." Times

The extent to which fragmentation of the electorate occurred in that first PR election has been analyzed by Prof. F. A. Hermens of Notre Dame University, one of the foremost students of PR. Using a table compiled by a State Constitutional Convention Committee appointed by Governor Lehman, he notes that on first choice votes for Council there was the following division of ballots: Democratic, 31 per cent; American Labor, 12 per cent; City Fusion, 11 per cent; Republican, 9 per cent; Insurgent Democrats, 5 per cent; Communists, 4 per cent; Socialists, 1 per cent, and "others" (independents), 27 per cent. This is fragmentation indeed. 10-30-47

"It was the same day," says Professor Hermens, "that Mayor La Guardia (who had been elected by a mere plurality in 1933) polled almost 60 per cent of the total vote cast in the city, the same day that Thomas E. Dewey was elected District Attorney of Tammany's own Borough of Manhattan with a majority of landslide proportions, and that Fusion elected, in addition to all the other members of the Board of Estimate, four of the five Borough Presidents of New York. * * *

Race Voters Outnumber Whites in City Election

Pittsburgh, Pa. Courier

By CALVIN E. ADAMS

ALTAMONTE—Race voters outnumbered the whites one and one-half to one in the Mayor's election, here, Aug. 5, and some residents in the tiny Seminole County municipality were viewing the situation with alarm.

Friends and neighbors of many years' standing passed each other on the street without a word or a nod, and tentacles of suspicion are reaching in all directions.

117 TO 87 Sat. 9-6-47

After the official count last week, it was reported that 117 Negro votes were cast as compared to 87 white votes.

An indignation meeting was held last Friday night with most of the white voters of the community attending.

The all-important question which is being asked on all sides is: who stirred the Negroes into voting in such fashion and what is going to be done about the situation.

Col. J. E. Matthews, a retired Army officer was elected over two opponents and Jack Goddard was elected assessor-treasurer.

ASK CITY LIMITS CHANGE

The two elected men were sworn into office on last Monday night, and were requested by the white citizens to change the corporate limits of the city so the race residents would be out of the city's boundaries and unable to vote in municipal balloting. No action was taken on this suggestion at the meeting.

B. D. McIntosh, local garage owner and runner-up in the mayorlty race, explained that it was the first time in the history of the municipality that the Negroes outvoted the whites.

"They threatened to do so several years ago, but they did not follow through."

Bolita activities, the work of the "Kingfish," and illegal registrations are terms that can be picked up on all sides, as long-time residents discuss the voting.

Matthews said the suggestions to change the city limits would be submitted to the city council for action. Sat. 9-6-47

FULLER DENIES CHARGES

H. E. Fuller, grocery merchant and long-time member of the city council, said he had been accused of taking the registration books from door to door to increase the number of qualified voters. He denied the charges and said the only time the books were out of his place of business was to register two sick persons who were unable to come in to qualify.

One white voter said the situation was stirred up by the desire of one resident to become mayor, but failed to receive a nomination.

The voter said this person was believed to be the one who had induced the Negroes to register and vote.

Condor Merritt, colored merchant, is the admitted "Kingfish" of the Negro faction, and is reported to have said prior to the election that the Negroes were not considering running their own candidates, but did want people in office who were friendly to them.

CAN RETAIN BALANCE OF POWER Sat. 9-6-47

It was explained in The Courier that in past elections, no more than fifty Negroes had ever voted. It was pointed out that 130 Negroes are now eligible against less than 100 white people.

It was further pointed out that more Negroes can be added to the registration rolls, and there is no possibility of the whites outnumbering so long as they are permitted to vote in the municipal election.

Some of the residents of the town want the Negroes to set up a town of their own such as Eatonville and conduct their own affairs. Others want them outside Altamonte's limits, which would permit them to vote in county elections only.

This much is certain—there will be no flaunting of the law in the situation, and an arrangement will be worked out by the wiser heads of the community that will be satisfactory to all concerned.

There has been no disturbance as a result of the election.

Negro Voters

Atlanta Courier

. . . and hath determined the times before appointed, and the bounds of their habitation."

Charleston, S. C.,

Georgia's legislature has laid an ax, and Herman has signed, but what's hatching? 37e South

"Negroes who are qualified to vote will be permitted to vote but not in our white primary," Talmadge explains. That negroes will be organized and exhorted to vote in Georgia now as never before is certain. Will they make a powerful second political party or achieve a balance of power?

Editor W. R. Smith, of The Macon News, believes "the real test of strength hereafter will be in the general elections, with negroes voting in unison and wielding the balance of power." He is convinced that the new law "will tend to develop the very evil at which it professes to be aimed, namely, domination by a negro bloc, acting in unison on the plainest principles of self-defense. . . ."

Against that the Talmadge people say the way out is voting qualifications or registration practices which will prevent mass voting by negroes in general elections. That is Alabama's plan, under the Boswell amendment, without recourse to white primary legislation like Georgia's.

I don't know the answer to the Southern problem-of-problems. But I know two things about it. One is that more and more negroes are going to be voting in the South from now on. Another is that in one way or another, fair means or foul, negroes are going to be prevented by the overwhelming and determined white majorities from dominant voting in the South, whether the dominance is threaten by balance of power or mass numbers in a given place. And I know that these two facts make it plainest common sense that our white statesmanship look to increased negro voting and our negro statesmanship avoid having negroes vote as a bloc and seek political control.

As economic conditions bring more emigration and the negro minority in the South is more and more a minority, as negro leadership persuades the race to vote here not as members of a race but as citizens to qualify constantly in character, education and responsibility and never to seek dominance for their minority, as we learn how to take Northern interference or leave it without letting Talmadges make Arnalls and Arnalls Talmadges, we can accommodate negro voting in the South in "times before appointed."

There's been controversy in enlightened North Carolina over somebody's criticism of Dr. Guy B. Johnson, of the university's sociology department, for being present at a meeting of whites and negroes when a Methodist minister is said to have declared: "We thank God we are all one blood." Editor Santford Martin, of The Winston-Salem Journal, properly wonders what we are indeed if not brothers under God, "entitled to equal rights and privileges before the law and the equality of educational and economic opportunity". The minister, he is certain, didn't mean we all belong to the same race.

That would be as silly as a Washington news letter called "Manuscript," published in "behalf of negro welfare," which romped on me a few months ago for reporting (not giving as my own idea) that the army hospital at Tuscaloosa, Ala., had in its artificial eye department a separate color division called "negro." With the familiar "if only you knew any anthropology" snear. I was told of negroes with gray, hazel and other colored eyes. But the army doctors had that division nevertheless, and it is hard to see why the race needs any more championing against the fact of a different color effect in eye than skin. Sun 2-25-47

It always seems worth while to me, when that Biblical reference to one blood is used to quote the whole verse—Acts XVII: 26: "And hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation."

Rights And Duties

Journal & Guide Norfolk, Va.

In A Democracy

Sat. 6-21-47 37e

By LUTHER P. JACKSON

The South Has Made Marked Improvement In Race Relations In The Past

IS THE South improving in race relations? Is it a better section for the colored man to live in now than it was twenty-five years ago? If any person wants to make trouble for himself he needs only to answer these questions in the affirmative, for there are prominent leaders today who have been attacked severely by other Negroes for their belief that the South is progressing. To many people the South is the unchanging South, or, as one white historian views the situation, it is the everlasting South. I make no attempt to say whether the attitudes of whites toward Negroes have changed for the better in all areas of human relationships but I do claim that in the field of suffrage and politics the colored man is much further along now than he was twenty-five years ago.

Twenty-five years ago ninety-nine per cent of the Negroes were ineligible to vote because it was extremely difficult to register.

It made no difference whether the applicant was educated or uneducated, owned property, or did not own property, the registrar in charge would simply not qualify him. The late Benjamin Brawley at Shaw University and Thomas W. Turner at Hampton Institute experienced as much difficulty with registrars at Raleigh, N. C. and Hampton, Va. as the most illiterate persons in these cities. At these and numerous other centers in the South, Negroes were required to read and "interpret" the Constitution to the satisfaction of the registrars but scarcely any could make the grade.

Sat. 6-21-47

Twenty-five years ago there was no incentive to vote in state and local affairs, and for the United States Congress, because all the elections for these offices were closed to Negroes. This was the day when the white primary reigned supreme in nearly all southern states. They might vote in the general election following the primary but that was nothing more than empty formality. The candidate had been chosen by the white folks at their white primary. At that time practically all Negroes in the South were once-in-four-year voters. They could go to the polls only for the presidential election.

In contrast to this sad state of affairs of a quarter of a century ago, there are at least fifty cities in the South today where Negroes can register and vote with as much freedom as the whites of these cities. And in many counties the same situation prevails. Perhaps the most far advanced is Raleigh, N. C. Here the difference between the old and the new is so great that it amounts to a revolution.

* * *

In all matters pertaining to the suffrage the dominant race in Raleigh accepts the Negroes as their equals. Instead of trying to exclude them, they now make every effort to include them. In the city and state of North Carolina there is no poll tax to pay and there is no discrimination in registration. This city has advanced so far that two of the registrars are themselves colored, members of the race serve as judges of elections, and they hold membership on the Democratic city and county committee.

Enjoying these advantages, it stands to reason that in Raleigh and other cities of North Carolina and Virginia, Negroes may run for office freely. In seven cities of North Carolina they have made the race for the city council, and in one of them, Winston-Salem, the candidate won. In Raleigh, the most recent candidate for the city council was Fred J. Carnarge, attorney. He lost in the final run off but not because the whites as a whole disfavored him. Indeed Mr. Carnage received more votes from the whites of Raleigh than he did the Negroes.

The lawyers of the Raleigh bar and the members of their families promised Carnage that they would vote for him and they kept their word. Of the total number of Negroes registered in two precincts, only about half turned out to vote for him on election day. If they had turned out in full strength this city too would have had a Negro in the city governing body. Sat. 6-21-47

And so it goes in so many places. Negroes here and there are failing to exercise their full strength not because the white people are opposing them but because of their own lethargy. Conditions have changed during the past twenty-five years but the colored man still has much to learn.

Dustin' off the NEWS

Chicago Defender

By LUCIUS C. HARPER

Chicago, Ill.

A SOUTHERNER ADVISES NEGROES TO DO "SOMETHING"

Sat. 4-26-47 The South

ON A recent trip to the South —Alabama, to be specific—I observed that Negroes are realizing more than ever that their salvation from many of the present race restrictions and persecutions center around securing free use of the ballot. They are convinced that they MUST vote; that they must possess something of value that the white man actually wants. Successful in business, they realize, however, that business must carry with it some civil and ethical recognition that is not now forthcoming under their ballotless status. Tax-payers, they are without any semblance of employment recognition from local or state governmental authorities. For the thousands of dollars they pour into the treasury to maintain and support local government, they are given in return only the scavenger's profit. The ballot, they contend, wisely and widely used, will cure many of these appalling ills that now befall them.

Lucius Harper

Southerners generally look upon political advice coming from the North with some disfavor. They prefer to work out their own problems without foreign meddling. So, following this code of ethics, we prefer to advise them through the voice of one of their best beloved citizens, the late George W. Cable, noted white New Orleans author and writer, who was asked "What shall the Negro do?" Mr. Cable's advise on this question is as applicable today as it was when he wrote it many years ago. Under the title, "A Southerner Looks at Negro Discrimination," recently issued in pamphlet form, Mr. Cable's advice on "What Shall the Negro Do?" is as follows:

"LAST, keeping the vote alive means casting it. You MUST vote. You must practically recognize two facts, which if white men had not recognized in their own case long ago, you would be in slavery still today; that there is an enormous value in having votes cast; first, even though they cannot win, and secondly, even though they are not going to be to know CERTAINLY will vote before he has platforms and weighed of their words being You will never get until the white man now how you are going you must let him see that Vote' can divide when- way, and come together enever it must.

"You must keep your vote alive. This means several things. It means that, without venality or servility, you must hold your vote up for the honorable competitive bid of political parties. A vote which one party can count on as a matter of curse, and the opposite party cannot hope to win at any price, need expect nothing from either. In no campaign ought

counted. A good cause and a stubborn fight are a combination almost as good as victory itself; better than victory without them; the seed of certain victory at last. Even if you have to cope with fraud, make it play its own famous part so boldy and so fast that it shall work its own disgrace and destruction, as many a time it has done before Negroes ever voted.

"Vote! Cast your vote though taxed for it. Cast your vote though defrauded of it, as many a white man is today. Cast your vote though you die for it . . . Keep your vote alive; better nine free men than ten half free. In most of the Southern states the Negro vote has been diminishing steadily for years, to the profound satisfaction of those white men whose suicidal policy it is to keep you in allenism. In the name of the dead, black and white, of the living, and of your children yet unborn, not as of one party or another, but as American free men, VOTE! For in this free land, the people that do NOT VOTE do not get and do not deserve their rights.

Sat. 4-26-47

"LET the Negro, in every state and local issue, strive with a dauntless perseverance, intelligently, justly and honorably, to make his vote at once too cheap and too valuable for the friends of justice to suppress it. Remember, your power in the nation at large must always be measured almost entirely by your power in YOUR OWN STATE."

The South

* * *

IN CLOSING, Mr. Cable reiterated the question: "What Shall the Negro Do?" and answered it, placing the burden on the black man's shoulders, advising him to do something for himself. He said: "For, as matters stand, it seems only too probable that until the Negro does something further, nothing further will be done."

So spoke and wrote a white Southerner many years ago. But his words live today, and are as true this hour in their application to the present vote situation in the South, as they were then. Alabamans — faced with the infamous Boswell amendment — get that VOTE, as Mr. Cable, a Southern white man advises, and so many of those signs now spotting your city, "For Colored Only," may come down.

Bilbo's Election by Few Votes Indicts System

Afro-American - Baltimore, Md. 3-22

Sat. 3-15-47

South

'Plan' to Bar Colored Voters Sponsored by South Carolina, Georgia, Mississippi

By LOUIS LAUTIER

WASHINGTON—(NNPA)—The extent to which the vote in the South is suppressed in Federal elections in Southern States may be seen from the following 1946 returns:

Georgia with 1,768,969 citizens of voting age, elected ten Congressmen with 161,578 votes; yet Wisconsin, with 1,941,603 eligible voters, also elected 10 Congressmen with 983,918 votes, and a Senator with 1,014,594 votes—Joseph McCarthy, the winner, receiving 620,430 votes.

A Striking Contrast

Mississippi, with 1,195,079 citizens of voting age, elected Bilbo with 46,747 votes, and seven Congressmen with 50,037 votes; yet Delaware, with 171,856 potential voters, cast 113,513 votes for Senator, John J. Williams, the winner, receiving 62,603, and cast 112,621 votes to elect two congressmen.

South Carolina, with 989,841 eligible voters, elected six Congressmen with 26,358 votes; yet Colorado, with 638,410 citizens of voting age, cast 332,092 votes to elect four Congressmen.

Sat 3-15-47

Klan's Influence

The determination of the South to maintain "white supremacy" has been, ever since the Ku Klux Klan was organized in 1866, to intimidate colored voters and "carpet baggers" from the North.

Although the original Klan was nominally disbanded in 1869, Southern States resorted to various devices to make disfranchisement permanent.

Tri-State Plan

The latest is the "South Carolina plan," which abrogated all laws relating to party primaries, so that Democratic state organizations may adopt regulations governing primaries, including a rule to bar colored voters from participation therein.

Georgia has followed South Carolina in the adoption of this scheme, and the Mississippi legislature, at the call of Gov. Fielding Wright, is undertaking to follow their example.

Congress Can Act

Since the Congress has the power, it also has the responsibility to act if Federal elections anywhere are tainted with fraud or corruption or are perverted by violence.

Sat. 3-15-47

A minority report by Sen. Styles Bridges of New Hampshire and Bourke B. Hickenlooper of Iowa, Republicans, on the Bilbo probe last year, scored "The Man" for requesting four other Senatorial primary candidates to join him in preventing colored people from voting.

ANOTHER WAR?

MONTGOMERY ALA.

Editor, The Advertiser:

. Of late years I have gotten to dislike the Yankee as much as I should have as a boy. They keep after us all the time and try to put us under Negro domination and it grates on me. What good would it do the Negro to get him in politics? No good whatever, but it would at least give the Yankee domination over our politics. Voting as a unit they would control this section just as the Yankee tried to do after the Civil War. Why they cannot let us alone I do not know. I certainly hope it won't bring on another war.

Advertiser Montgomery, Ala.

Thurs.

MARVIN H. CARTER.

Troy, Ala.

37e 1947

South Carolina

FEDERAL JUDGE HOLDS NEGROES MAY VOTE IN S. C. PRIMARIES

(37e)

Greenville, S. C.
July 18, 1947

Important Decision Handed Down By Judge Waring In Charleston Last Saturday—Senator Maybank Issues Statement Saying Decision Is All Wrong.

Negroes may vote in South Carolina Democratic primaries, Judge J. Waites Waring held in an opinion filed in United States district court in Charleston Saturday.

The case was argued in Columbia last month.

In the suit, brought by George Elmore, of Columbia, on behalf of himself and others similarly situated, against Clay Rice and others, as election officials and members of the Richland county (Columbia) Democratic executive committee, the court said:

"It is time for South Carolina to rejoin the union. It is time to fall in step with the other states and to adopt the American way of conducting elections.

"I am of the opinion that the present Democratic party in South Carolina is acting for and in behalf of the people of South Carolina; and that the primary held by it is the only practical place where one can express a choice in selecting federal and other officials.

Entitled To Vote

"Racial distinctions cannot exist in the machinery that selects the officers and lawmakers of the United States; and all citizens of this state and country are entitled to cast a free and untrammeled ballot in our elections, and if the only material and realistic elections are clothed with the name 'primary,' they are equally entitled to vote there.

"The prayer of the complainant for a declaratory judgment will therefore be granted by which it will be adjudged that the plaintiff and others similarly situated are entitled to be enrolled and to vote in the primaries conducted by the Democratic party of South Carolina, and the defendants and their successors in office will be enjoined from excluding qualified voters from enrollment and casting ballots by reason of their not being persons of the white race. Appropriate findings of fact and conclusions of law and an order carrying the foregoing into effect will be enforced."

The case was based on the refusal by the managers of a Richland county primary election to permit the plaintiff and others to vote August 13, 1946. Upon hearing of the case, it was decided that the court would first pass upon the question of a declaratory judgment and injunction and that the prayer for money damages alleged in the complaint to be $5,000 would be deferred for future submission to a jury in case it was determined that the plaintiff had stated and shown a cause of action.

"It may be and in fact is a fascinating study to determine whether a universal suffrage is the best method of governing a country," the opinion says. "In the golden days of Greece, there were many slaves. The Roman empire had many opinions and changes as to granting suffrage to people of other and conquered lands. The idea of free voting and suffrage practically disappeared in the Middle Ages, and even today in many countries the right to cast a ballot is extremely limited and in some only the members of the one party controlling . . . may cast a ballot.

(37e)

Discrimination Forbidden

"But in these United States the time has passed for a discussion of whether we should have universal suffrage, irrespective of our views as to its desirability. The constitution and laws of the United States provide for it and forbid discrimination because of race or creed. A free ballot to be freely exercised by all the citizens is the established American way of government.

"In the argument in this case, frequent reference was made to the desirability or undesirability of whites and blacks voting in the same primary, and it was suggested that the negroes have a separate primary from the whites. It was further suggested that the parties in South Carolina are substantially the same as private clubs; and that a private club has a right to choose its membership and the members to choose with whom they wish to associate. Of course, that is true of any private club or private business or association, but private clubs and business organizations do not vote and elect a president of the United States and the senators and members of the house of representatives of our national congress; and under the law of our land, all citizens are entitled to a voice in such selections. It has been stated, and I believe it is a fact, that South Carolina is the only state which now conducts a primary election solely for whites."

The opinion dismisses as "pure sophistry" any argument that any material difference was made in control of the Democratic party in South Carolina by repeal of the statutes governing the party.

MAYBANK'S STATEMENT

In a statement issued in Washington after hearing of the court's decision Senator Burnet Maybank said that the decision is "100 per cent wrong in principle and in law."

Senator Maybank's statement is as follows:

"I was very much surprised by the district court's decision in the white primary case. I believe that it is clearly wrong, and I am told that it is totally without precedent.

"The basis of the Texas decision some years ago was that the party primary had been made an integral part of the state's election machinery by state statutes, and that therefore the party's action in defining the qualifications for membership was in effect state action, which is under the control of the 14th and 15th amendments to the United States constitution. I poined this out in a speech shortly after the Texas decision had been rendered by the United States Supreme court.

LAWS REPEALED

"In South Carolina, all state laws relating to primaries have been repealed, following the holdtions and associations which do not now dream that they are affected by the principle involved.

"I have at all times fought as a United States Senator to protect the rights of the state from being taken away by ill considered federal action and encroachment. I have vigorously opposed the federal FEPC, the federal anti-lynching legislation, the federal anti-poll tax legislation, and all other measures devised to convert our republican form of government into a federalized state in which the individual citizen is nothing but a pawn in the hands of the central government.

"To date we have kept the white Democratic party of South Carona safe and sound, and I am cerain that it shall survive this new ffort to overrun it.

"The decision in effect holds that the white Democratic party is an illegal organization. The state officials of the party assure me that it will be appealed, and I believe that the decision will be reversed by the higher court because it is 100 per cent wrong in principle and in law."

Over

In a Democracy

Primary Decision In South Carolina Another Victory For NAACP; Voting Made Much Easier

By LUTHER P. JACKSON

(General)

I WRITE THIS time about the suffrage situation in South Carolina where the United States District Court sitting at Charles-ton declared recently that Negroes of that state can not be excluded from the Democratic primaries. Three years ago the United States Supreme Court ruled in the Texas case that such persons can not be barred, but the sovereign state of South Carolina attempted immediately thereafter to evade this decision by striking out the party primary from its code of laws.

It thereby attempted to make the Democratic party a private club. Since the party has lost this latest decision, it is probable that they will seek to have it reversed by the United States Circuit Court, and if they lose there, they may attempt to go

victory for the National Association for the Advancement of Colored People and its brilliant staff of attorneys. Led by Thurgood Marshall, the members of this staff are proving themselves to be far superior to whatever group of lawyers they may have. South Carolina placed in court nine lawyers, presumably their best, to defend the white primary, but they were no match for Mr. Marshall and his single associate, Harold Boulware.

* * * *

The contrast in the ability of the Negro lawyers and the white lawyers in this instance was glaring. So regular is the N.A.A.C.P. in winning its cases, it millions" should be the slogan and so competent is its entire staff that American citizens who believe in equality and justice should lose no time in joining this body. "Make it a million" unthinkable.

The victory in South Carolina can serve as a stepping stone to a much larger Negro electorate or it may rest simply as another N.A.A.C.P. victory with no immediate results. The state is blessed with a few bold leaders who have entered the practical phases of politics and have shown as much determination for the exercise of suffrage rights of Negroes as those of any state in the South. My hat is off especially to John H. McCray, fearless editor of the Columbia House and Informer and one of the organizers of the Progressive Democratic party. Another is Osceola McKaine of Columbia who last year ran as the candidate of this party for the United States Senate. Barred at the time from the "white" Democratic party, these men organized their own party, the Progressive Democratic, and for a time greatly frightened the white Democratic politicians of this state.

In McCray, McKaine, Annie Bell Western and others, the Negroes of South Carolina have capable leaders, as they do with individuals of similar caliber in the N.A.A.C.P. But will these people in this state become awakened to their new-born opportunities? Will they fail Thurgood Marshall on the one hand or John H. McCray on the other?

• • • •

In some respects the citizens of South Carolina have less excuse for not qualifying to vote than those of any other state of the South. The poll tax of this state is about the lightest and to register the applicant has two chances: if he can not satisfy the educational requirement by answering a few questions, he may offer the ownership of property value of three-hundred dollars. One hundred thousand should be able to meet one or the other of these requirements, with ease.

But the Negroes of South Carolina face the same human barriers as they face all over the South and some degree over the nation. A large proportion live under the shadow of the plantation, they regard themselves as inferior to other Americans, and they live in a state of fear. Rooted and grounded in them everywhere is the wicked notion that politics is the white folks' business.

Thurgood Marshall, representing the N.A.A.C.P., John H. McCray, representing the Progressive Democratic party and a number of other highly trained leaders, representing a variety of civil and political rights organizations over the country face a situation, then, of dealing with a people who, after having had doors of opportunity opened to them, are mighty slow to enter.

This is a discouraging situation, but perhaps Negroes as a race are no different from oppressed people of other races and nations in the past and at present. Though slow to follow, the leaders and the organizations must press on notwithstanding, for some day the rank and file will rise to their level.

Negroes May Participate In Primaries

The Pittsburgh Courier
Pittsburgh, Pa.
Sat-7-19-47

(By Staff Correspondent)

CHARLESTON, S. C.—A far-reaching decision by Federal Judge J. Waties Waring here on Saturday gave Negroes the vote in this State's Democratic primaries, and presaged the death of the Dixie bias against Negroes taking part in Democratic primaries in other Southern States.

Pittsburgh

Ruling on the suit brought by George Elmore of Columbia, who charged that he had been denied voting rights because of his color, the jurist decreed that the State Democratic party enjoyed no legal privilege to confine or restrict the limitations of its voting opportunities, under its guise of a "private organization."

Courier

The restriction had prevailed since 1944, when the Democrats limited the vote solely to "white Democrats."

Pittsburgh, Pa.

With no immediate reaction from white Democrats in evidence, South Carolina's Negro Democratic leaders quickly sprang into action. State chairman John H. McCray, Columbia editor, announced a special convention of Negro Democrats to be held in Columbia on Wednesday to chart future action.

NEGROES BARRED

Sat. 7-19-47

In 1944 this State repealed all its statutes governing primaries by legislative action, and at the instance of former Governor Olin Johnston. The Democrats then contended that since they were subsequently a private organization, they had the right to make their own laws governing primaries, and swiftly barred Negroes from taking part in regular party affairs.

On behalf of Elmore, and backed by the NAACP and the Democratic Progressive party of Negroes in the State, Attorney Harold S. [illegible] ware, aggressive Columbia attorney, brought suit against the Richland County Democratic executive committee and primary managers, the Columbia Democratic club, charging violation of Elmore's Constitutional rights.

Argued before U. S. Court in June, Judge Waring who was presiding, reserved his decision until he had given fuller study to all evidence and testimony submitted.

On Saturday he handed down his momentous decision.

Sat. 7-19-47

DECISION HAILED

Throughout the South, the reaction among Negro Democrats was quickly evident. The decision was hailed as one which sounded the death knell for the all-white primaries being attempted by white Democrats in some Southern States.

Georgia recently repealed its white primary law. Florida's Legislature defeated an attempt to establish such a primary. Neighboring North Carolina has never had any racial restrictions in its voting set-up. In Virginia, Negroes are now enjoying full voting privileges, despite the expression of the late Senator Carter Glass that "no Negro will ever vote in the Democratic party in Virginia as long as I am alive." Glass died last year.

In Columbia, James M. Hinton, State head of the NAACP, immediately made a request upon Democratic party officials that they make provisions at once to include qualified Negro voters on the rolls of the Democratic party in the State.

Sat. 7-19-47

'Entitled To Be Enrolled To Vote,'

Sun. 7/13/47

Federal District Jurist Holds

Atlanta, Ga. Constitution

Sun. 7-13-47

CHARLESTON, S. C., July 12—(AP)—South Carolina Negroes won a court victory Saturday in their fight for the right to participate in the State's Democratic Primary, limited by party rules since 1944 exclusively to "white Democrats."

U. S. District Judge J. Waties Waring, tall, 66-year-old Charleston-born jurist, held that "Negroes are entitled to be enrolled to vote" in the Democratic primaries. The case was brought by George Elmore, a Columbia Negro, who contended he was not permitted to vote in the 1946 primary because of his color.

Waring, in another case, turned down the petition of John H. Wrighten, Charleston Negro, for a court order enjoining the University of South Carolina from refusing to admit "qualified" Negroes to its law school on the grounds of race, but he ruled that Wrighten and any others like him would be entitled to enter unless by the opening of the next school year the State provides an adequate course in the college for Negroes at Orangeburg.

One other alternative was possible, he said. That would be that "the State furnish no law school education to any persons of either [illegible]."

Because no other law school was available to the state it insisted it was his right to be admitted to the University. University officials and trustees claimed also that a law school for Negroes could not be established for the institution. Waring's decision was that Negroes could not be denied participation in Southern Democratic primaries because these were part of the general election machinery.

In answer to the contention of Democratic Party officials that their organization was a private association outside the realm of state or federal regulation, Waring said in his ruling that "I am of the opinion that the present Democratic Party in South Carolina is acting for and on behalf of the people of South Carolina; and that the primary held by it is the only practical place where one can express a choice in selecting federal and other officials.

"Racial distinctions cannot exist in the machinery that selects the officers and lawmakers of United States; and all citizens of the state and country are entitled to cast a free and untrammeled ballot in our elections, and if the primary is the only material and realistic elections are clothed with the name 'primary,' they are equally entitled to vote there."

He added that "it is time for South Carolina to rejoin the Union. It is time to fall in step with the other states and to adopt the American way of conducting elections."

"It has been stated, and I believe it is fact," Waring wrote, "that South Carolina is the only state in the Union which now conducts a primary election solely for whites. Negroes are voting in Texas and even in Georgia. I cannot see where the skies will fall if South Carolina is put in the same class with these other states."

Waring contended he was entitled to the same opportunities for a law education provided for white students at the University of the State if it was his right to be admitted to the institution provided the admission [illegible] law training there [illegible] equal."

Waring's decision also held that the State Democratic Party organization consisted of "the same membership" before and after repeal of the primary election laws. "The same method of organization of clubs, of meetings, of delegates to county conventions, delegates to state conventions, arranging for enrollment, preparation of ballots, and all the other details incident to a primary election" still existed, he said.

"For too many years," Waring said, "the people of this country, and perhaps particularly of this state, have evaded realistic issues.

"In these days when this nation and the nations of the world are forced to face facts in a realistic manner, and when this country is taking the lead in maintaining the democratic process and attempting to show to the world that the American government and the American way of life is the fairest and best way that has yet been suggested, it is time for us to take stock of our internal affairs."

When the case was argued in Columbia June 3-4, Negro attorneys maintained that the Democratic primary was "the only meaningful election in South Carolina" because the general election served only to ratify the primary results and was nothing but a "formality."

In the other suit, Wrighten

South CAROLINA

SOUTH CAROLINA WAKES UP

Afro-American

Death knell for the lily-white Democratic primary in South Carolina was sounded Saturday by Charleston-born U. S. District Judge J. Waties Waring. Baltimore, Md.

In a history-making opinion, Judge Waring branded as "pure sophistry" the contention of South Carolina whites that the 1944 repeal of all statutes pertaining to primaries put the party in the position of a private organization not subject to court regulations. Sat. 7-19-47

The U. S. Supreme Court, years ago, ruled that color could not be made a basis for participation in primary elections. This was the celebrated Texas primary decision.

An attempt by the State of Georgia to get around this ruling through legislative action calling for a primary setup similar to that sought by South Carolina, was vetoed.

For years, the white South disfranchised thousands of would-be colored voters by such high-handed shenanigans. The nation's highest tribunal has turned thumbs down on all of this. Sat. 7-19-47

Now that a Federal judge has echoed the Supreme Court ruling, it ought to be pretty clear to Dixie that Uncle Sam means what he says and what President Truman recently reiterated about the right to vote.

Judge Waring, by refusing to take the side of wrong, has demonstrated the fallacy of the charge that all white Southerners are "one woman's children." We commend him for refusing to follow the line of least resistance.

It is now up to South Carolina leadership to see that the decision becomes more than a mere scrap of paper. Our political power, like a limb of the body, grows stronger through usage.

Negro Voters Dominate 19 S.C. Counties

Chicago Defender
Chicago, Ill.
Sat-8-9-47

By MODJESKA SIMPKINS

GREENVILLE, S. C. — (ANP) — Nineteen counties in South Carolina have more Negroes of voting age than whites, according to figures taken from the 1940 census.

This information was revealed here last week following Federal Judge J. Waites Waring's ruling that Negroes have a Constitutional right to vote in South Carolina Democratic primaries.

The 19 counties in which Negroes, 18 years or older, exceed whites of the same age group, are: Alledale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Clarendon, Dorchester, Edgefield, Fairfield, Georgetown, Hampton, Jasper, Lee McCormick, Marion, Orangeburg, Sumter and Williamsburg. Sat-8-9-47

According to President J. M. Hinton of the state NAACP, 100,000 Negroes can be expected to enroll and vote in the 1948 primary. The 1946 primary drew a white enrollment of 400,000, and a vote of 250,-000.

Census figures show that the Negro enrollment would reach a figure of 442,484, as compared to a possible white enrollment of 686,-966.

37e 1947

South Carolina

Clear And Unmistakable

Atlanta, Ga. Daily World

A waiting Negro public heard the good news Saturday from South Carolina. There, Federal District Judge J. Waites Waring, ordered State election officials to open the hitherto all-white primaries to qualified Negro voters, because the present Democratic party "is acting for and on behalf of the people of South Carolina and that as such, it is the only practical place where one could express a choice."

There must not be any misgivings about this inspiring decision, Judge Waring's message and meaning should be crystal clear to all. In effect, he says: henceforth, in the Southland, no less than in South Carolina, filmsy technicalities and shibboleths cannot be tolerated when these are used to deny to any group exercise of their constitutional privilege to vote because of race, color or creed, since the United States Supreme Court has settled that issue once and for all time. Tues. 7-15-47

The decision means, therefore, that South Carolina Negroes must now put whip to the horse and get themselves registered in commanding numbers so as to be able to have a voice in the choice of those who will be their rulers. It means that other states may save much needed money and time by rescinding any plans or schemes they may have to cirmcumvent that lofty U. S. decision. And, it means, we hope, that no further reviews will be granted to the false appeals to higher courts. The law has once again spoken, this time as clear and challenging as was the voice of Federal District Judge T. Hoyt Davis, of the Middle Georgia Division in the Primus E. King's suit. Both decisions take the position that the action of the party is state action and that no state, no matter what the party may claim, can debar any otherwise qualified person to membership, when that party is the sole means of expressing a choice for candidates to public office.

It was the only logical conclusion the Judge could reach, technical terms are never to be confused with broad practical human guarantees. The Constitution minces no words in declaring that no exceptions can be allowed under its protecting wings purely on the basis of race, color, creed or previous conditions of servitude. There the Negro American rests his case. There he is determined to stand against all enemies opposing his full citizenship rights. Race hatred and incitement to riot will not deter Negroes from voting in primary elections. Undoubtedly there will be other schemes devised against Negro voting. But one by one they will be knocked down as clay pigeons. Tues. 7-15-47

South Carolina Vote Rule Stirs Ga. Politicians

Atlanta, Ga. Daily World

37e

Ruling Figures Sharply In '48 State Election

Tues. 7-15-47

The recent Federal court ruling that Negroes would be permitted to vote in the South Carolina Democratic primary has created quite a stir in Georgia, for it was this issue that played a prominent part in the past gubernatorial election, and is rumored to be the main issue in 1948 gubernatorial campaign.

South Carolina

The decision has evoked concern and comment from both Gov. M. E. Thompson and Talmadge forces, as well as former Gov. Ellis Arnall and other state politicians.

Gov. Thompson commented Sunday that he hopes "the United States Supreme Court will pass on, and by its action settle all questions on this issue before the 1948 primaries in various states."

The Talmadge forces which sought to establish a white primary bill during the invalidated reign of Herman Talmadge, as governor of the State, has also commented on the decision through its brain-trust, Roy V. Harris.

TALMADGE'S COMMENTS

Harris said Saturday that he considers the opinion "entirely wrong," South Carolina leaders had assured him, said Harris, that the case will be appealed immediately to the U. S. Circuit Court of Appeals.

The decision will be reversed, predicted Mr. Harris. "My opinion is based on Judge Sam Sibley's opinion in the Primus King case from Georgia," he pointed out. "Judge Sibley in that case pointed out how white primaries could be held legally, and in my opinion the South Carolina plan comes within Judge Sibley's opinion," he said. Tues. 7-15-47

Former Gov. Arnall remarked that the "decision comes as no surprise to me. There is no way legally to keep the Negro from voting in the Democratic primary. The decision means that the entire Talmadge-Harris plan is unlawful and illegal.

"Under the Constitution of the United States no citizen of any state can be denied the right to vote in primaries or elections by reasons of his race, color or creed. 37e

"This is no new declaration of law. It is as old as the Constitution itself. Tues. 7-15-47

"No real lawyer ever for a moment believed that you could set aside the Constitution of the United States by the subterfuge of Talmadge and Harris."

William Morris, of Augusta, chairman of the state Democratic committee, said he was not surprised at the South Carolina opinion. "I have always felt that nomination by the Democratic party in the South was tantamount to election," he said.

Anti-Talmadge forces pointed out that there is plenty of time for the case to go through the Court of Appeals and the U .S. Supreme Court before the next gubernatorial campaign in Georgia. Tues. 7-15-47

ISSUE IN PAST ELECTION

The promise to deny Negro participation in the State Democratic primary of Georgia was the issue that was largely responsible for the election of the late Eugene Talmadge to the governorship. Following his death and the election of his son, Herman Talmadge, to the governorship by vote of the General Assembly, this issue again figured prominently. It was under Herman's temporary reign as governor that a white primary bill was passed which endeavored to abolish Negro participation in Georgia elections.

Gov. M. E. Thompson, who was ruled the true governor of Georgia by decision of the State Supreme court, vetoed this bill when he took over the helm of state.

It was announced Monday that the white Demoratic leaders of South Carolina are already formulating plans for an appeal of the ruling. Chairman W. P. Baskin, of the state party's executive committee said emphatically that the party would appeal to the Fourth Circuit court. Tues. 7-15-47

The court will be asked to stay effectiveness of Saturday's decision by District judge J. Waites Waring of Charleston, until the appeal is acted on.

NEGROES GIRD FORCES

While the steps for appeal were being made by white South Carolina Democrats, two Negro organizations took steps to assure that an estimated 100,000 Negroes would vote in the 1948 primaries in which county, state and federal officers will be nominated.

In its fourth year of organization the South Carolina Progressive party comprised of Negroes, called a special meeting at Columbia Wednesday to decide on its future course of action in the light of the decision.

Moreover, the NAACP, which backed the case of George Elmore, Columbia Negro whose plea for a primary vote was decided favorably by Waring, arranged to organize its state members for the 1948 primary election.

Meanwhile, J. M. Hinton, president of the State NAACP is awaiting the reply from Baskin to a letter asking the party to "immediately' invite Negroes to participate

July 13, 1947

Group Lauds Vote Victory By Negroes

The court victory won by South Carolina Negroes in their fight for the right to vote in the democratic primary yesterday was hailed by the Southern Conference for Human Welfare as "a landmark in the South's struggle for honest democracy."

In a resolution passed at the last session of a two-day meeting here, the conference's board of representatives also expressed the hope that "other Southern States balanced now in controversy about voting legislation will abide by the spirit of the South Carolina decision."

Miami, Fla. Herald

July 13, 1947

Negroes Get Right To Cast Votes

37e

By United Press

CHARLESTON, S. C.—Federal District Judge J. Waites Waring ruled Saturday that the state of South Carolina must permit negroes to vote in heretofore all-white Democratic primary elections.

Waring granted a plea by George Elmore, a Columbia, S. C., negro who asked for a declaratory judgment to prevent the Democratic party from barring negroes at the polls.

INTO PRIVATE CLUB

Democratic party leaders turned the primary in South Carolina into a "private club" affair after the United States supreme court ruled that a state cannot bar negroes from elections in which federal offices are at stake.

Georgia followed the identical pattern when the state legislature met last spring but Gov. M. E. Thompson vetoed the action.

South Carolina Democrats took the position that as long as their primary was held as a party and not a state election, the supreme court decision did not apply.

Racial distinction, he said, "cannot be allowed to exist in the machinery which selects the law makers and officers of the United States."

Charlotte, N. C. Observer

July 15, 1947

NEGROES SCORE MAYBANK STAND

Term Senator's Statement On Primary Issue 'Very Unfortunate,'

COLUMBIA, S. C., July 14—(AP)—U. S. Senator Burnet R. Maybank's statement yesterday that he believed a U. S. district court decision permitting Negroes to vote in South Carolina Democratic primaries to be "clearly wrong" was described as "very unfortunate" today by two Negro leaders.

James M. Hinton, president of the South Carolina branch of the National Association for the Advance-

ment of Colored People said the statement came from "the mind of one whose sense of democratic government in practice is contrary to the Constitution" of the United States."

President John H. McCray of the South Carolina Progressive (Negro) party termed Maybank's statement "purely emotional" and "tantamount to a denunciation of our judicial system."

Hinton's and McCray's statements predicted that the decision of District Judge J. Waties Waring in the primary case would be reviewed by higher courts.

McCray's statements addressed to the

Jacksonville, Fla. Times-Union
July 13, 1947

Negroes Win Voting Right In S. C. Case

CHARLESTON, S. C., July 12. (AP) South Carolina negroes won a court victory today in their fight for the right to participate in the state's democratic primary, limited by party rules since 1944 exclusively to "white Democrats."

U. S. District Judge J. Waties Waring, tall, 66-year-old Charleston-born jurist, held that "negroes are entitled to be enrolled to vote" in the Democratic primaries. The case was brought by George Elmore, a Columbia negro, who contended he had been denied enrollment because of his color.

Waring, in another case, turned down the petition of John H. Wrighten, Charleston negro, for a court order directing his admission to the University of South Carolina law school, but he ruled that Wrighten would be entitled to enter unless by the opening of the next school year the state provides an adequate course in the College for Negroes at Orangeburg.

One other alternative was possible, he said. That would be that "the state furnish no law school education to any persons of either the white or negro races."

In the argument of the Elmore case early in June, attorneys for the Richland County (Columbia) Democratic Executive Committee and primary managers in one Columbia Democratic club, named as co-defendants, pointed out that in 1944 South Carolina repealed all statutes pertaining to primaries.

In consequence, they contended, the party had become a private organization with full authority to stipulate who was entitled to membership, and not subject to court regulation.

Taking note of this point, Waring commented, "To say that there is any material difference in the governance of the Democratic party in this state prior to, and subsequent to, 1944, is pure sophistry."

The Georgia Legislature provided for a similar primary setup by an act passed early this year but it was vetoed.

Augusta, Ga., Chronicle,
July 14, 1947

S. C. Democrats Planning Appeal

Would Stay Decision Letting Negroes Vote

By The Associated Press

Plans for an appeal that would stay a Federal district court decision opening South Carolina Democratic party primaries to Negroes were being formulated today (Monday) by Democratic leader.

SALT LAKE CITY, July 13. (AP)—Gov. M. E. Thompson of Georgia said today he hopes the U. S. Supreme Court will settle before the 1948 primary all questions concerning the right of Negroes to vote.

Thompson commented after Federal Judge J. Waties Waring ruled in Charleston, S. C., yesterday that Negroes could vote in South Carolina's "private" Democratic party primaries.

Simultaneously, two Negro organizations took steps to assure an estimated 100,000 members of their race a vote in the 1948 primaries in which county, state and federal officers will be nominated.

Chairman W. P. Baskin of the state party's executive committee said emphatically that the party would appeal to the Fourth circuit court.

The court would be asked to stay effectiveness of Saturday's decision by District Judge J. Waties Waring of Charleston until the appeal was acted on.

Party lawyers studied Waring's opinion and conferred with various party officials by telephone as details of appeal plans were discussed.

The South Carolina progressive (Negro) Democratic party organized four years ago, called a special meeting at Columbia Wednesday to decide on its future course of action in the light of the decision.

Negroes Win Voting Right In S. C. Case

The Florida Tattler

Charleston, S. C. — South Carolina Negroes won a court victory today in their fight for the right to participate in the state's democratic primary, limited by party rules since 1944 exclusively to "White Democrats."

July 14-15-47

P. S. District Judge J. Waties Waring, tall, 66-year-old Charleston-born jurist, held that 'Negroes are entitled to be enrolled to vote" in the Democratic primaries. The case was brought by George Elmore, a Columbia Negro, who contended he had been denied enrollment because of his color.

Jacksonville, Fla.

"The Skies Will Not Fall"

(From the Lighthouse and Informer, Columbia, S. C.)

A woman subscriber to this newspaper made a significant statement shortly after Judge J. Waites Waring issued his ruling on the S. C. primray question.

Said she, in comment: "I have always been a Democrat in heart and as far as I could go in practice. Therefore, I am naturally cheered by the verdict. I can't say that I am happy about it, however. There is nothing to be proud about or happy over in the prospects of being associated with that group of white men in the Democratic party who have disgraced their race and our state."

Impressed by her view we deliberately asked several other Negroes, men and women, young and old: "How do you feel about belonging to the party of Senator Blank, Representative So and So and, Mr. " Race" "White Man"?

The reaction was unanimously negative. None liked the prospects of belong to an organization, many leaders in which have constantly taken shots at them, or conspired to keep them at a certain distance from first-class citizenship. However, none would have had the decision the other way. As bad as it may seem to them, they consider the privileges extended in the Waring decision also includes one for working to "purge" the undesirables. There was not the slightest bitterness toward the white people.

In contrast, we have noted publications in one or two daily newspapers intimating that a very small element of whites foresee "trouble." They assume that a special favor has been done to Negroes, that (and fallaciously) the "race" walls have been smashed by it or, as Senator Burnet R. Maybanks complained, the Waring decree obliterated private organizations.

Atlanta Daily World Atlanta Ga.

The views of the woman and the other Negroes referred to are not new. We have heard them many times before. In fact, we have heard Negroes snicker with tongues in cheek many times after reading in newspapers about the "white man's primary."

Thurs. 7/24/47

"The skies will not fall" if Negroes vote in South Carolina primaries, Judge Waring wrote. He must have heard the privately expressed opinions of the Negroes who even now find nothing so "delectable" about the whole matter.

Atlanta Constitution

WILLIAM H. FIELDS

Atlanta, Ga.

More Voting Restrictions Needed

Tues. 7-15-47

When Federal Judge J. Waites Waring decreed at Charleston the other day that Negroes can participate in the South Carolina Democratic Primary, he also brought into sharp focus the need for more stringent voting qualifications to insure the States and the country at large of an electorate that can understand the issues, detect demagoguery and vote intelligently.

This is not to say we should kid ourselves into believing that all those unqualified to vote by reason of education or intelligence are Negroes. That is far from the case. But it cannot be argued that the number of undesirable voters is not increased proportionately, at least, and that this increase makes acute a need that has been with us for years.

Precedent Those who would view the New York State law as "undemocratic" might be reminded that until a few years ago—about the turn of the century—most States had property qualification laws under which a person could vote only if he were a freeholder of so much land. Naturally, such a law did not guarantee that these freeholders possessed enough intelligence to decide issues, but it was presumed that if a man had the acumen to own a piece of property he also had enough intelligence, and an inherent right, to vote.

Even in Georgia today a person barred from voting because of illiteracy may be admitted to the polls if he is a property owner.

Voters of today are faced with issues of far greater magnitude, if not more complications, than those confronting the electorate of other years. And present-day voters have to contend with candidates who attempt to whoop it up with hillbilly bands and suds buckets.

But while the issues and the officeseekers have been growing more elusive the polls have been thrown open virtually to anyone who is old enough and can write his name. And yet we complain of the inefficiency in government. We cannot expect representative government to function effectively unless we make certain all those eligible to cast votes are responsible and intelligent, whether they be white or black.

Atlanta, 7-15-47

High Court Although no one is safe in anticipating a court decision, it can be presumed with reasonable certainty that the Supreme Court will uphold Judge Waring. The tendency of modern judges is to ascertain the intent of the law, and it cannot be denied that the intent of the South Carolina Legislature was to keep Negroes from voting in the Democratic Primary.

Still, the Supreme Court has not always in recent years adhered to the intent theory. The most notable example of late was its declaration that the Lea Act, the so-called anti-Petrillo Act, was constitutional. Although this measure obviously and admittedly was directed against the czar of the American Federation of Musicians and therefore was class legislation, the high court's split opinion was that it was valid.

The South Carolina case, however, differs considerably from the Lea Act case in that the right of the Negro to vote has social as well as political implications. And social theories still play a part in decisions of our highest tribunal.

The Black Dispatch
Mar. — Oklahoma City, Okla.

Time For South Carolina to Join the Union

"It's the same horse, although of a somewhat different color," declared Judge J. Waities Waring, of the United States District Court, South Carolina, last week, after giving study to the new white primary law of that state. "To say there is any material difference in the goverance of the Democratic party in this state prior to and subsequent to 1944 is pure sophistry," continued the learned judge in a lengthy 20-page type-written opinion that completely knocks the props from under the theory extant down in Dixie that the Democratic party should be considered by the federal government as a private club.

Sat. - 2 - 26 - 47

The judge entered a declaratory judgment in favor of the plaintiff George Elmore, which prohibits the Democratic officials of Richland County, South Carolina, from excluding Elmore and other Negroes of that state from participating in primary elections of all political parties.

The Charleston judge was walking on no stilts, and had his feet solidly on the ground, when he announced from the bench:

"It is time for South Carolina to rejoin the Union. It is time to fall in step with other states and adopt the American way of conducting elections."

Going on back to the whole history of suffrage litigation the judge recalled "United States vs. Classic" and "Smith vs. Allwright" in tracing the philosophy of those who seek to evade the law and suppress the constitutional rights of minorities in this country. He raised the question whether or not there can be done by private action that which is prohibited by state action, which the Black Dispatch believes is the real meat in this cocoanut. This publication believes Judge Waring has grasped the issue that controls even the question of restrictive covenants, for we believe the courts are heading in a direction which will finally prohibit individuals from practicing types of discrimination, and making distinctions in contracts that are denied to the state.

Judge Waring went into this question in a very learned way when he said:

"It has been suggested that the action of the state in repealing all of the suffrage statutes amounted to a deprivation of the right of suffrage. The doctrine is somewhat novel but interesting. The argument is that under the law of South Carolina as it stood before April 1944 and as construed by the Supreme Court decisions, Negroes had a right to vote in the primary as then constituted. And, therefore, when the legislature took action, although this action was in the form of repeal, it deprived these citizens of a right which they then had, and that the act of the legislature, while negative in form, was really positive. It has also been suggested that inaction by a state may amount to a denial of equal protection."

What Judge Waring was in actuality saying is, that the State of South Carolina in repealing its primary laws was in fact acting in conspiracy and collusion with certain citizens, permitting them to do what the Supreme Court of the United States had declared the state could not do, and he pointed out there is no question respecting what the intention of the state was, for he quoted lengthily from an address delivered by former governor Olin Johnson, who declared that the purpose of such legislative action was to uphold white supremacy in South Carolina and prevent Negroes from exercising suffrage rights.

The question, as the Black Dispatch sees it, is whether or not the opinion of Judge Waring is not elastic enough to cover the question of restrictive covenants. Surely a contract entered into between private citizens, which declares that neither signator to the contract may sell to a certain third party or parties is in a sense negative, and in another sense positive, and the court overlooking this fact places itself in the identical position of the state, as envisioned by Judge Waring, when it fails to note that freedom of movement in the ownership and occupancy of property has been invaded by such contractural arrangements.

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If the state does not have the constitutional right to halt freedom of movement and freedom of ownership and occupancy of property, by what twist and distortion of reason can such authority be delegated to individuals? That's the crux of this whole proposition. There's a type of evasion of responsibility of conspiracy and connivance in such judicial position that smacks of the same flavor Judge Waring refers to in the South Carolina opinion. This sort of circumlution and defiance of the expressed meaning of the constitution utterly lack morality and integrity. It is equivalent to saying the state cannot do a given thing by due process of law but individuals have this right without due process of law.

Once we identify a fundamental right in citizenship it should be the concept of our courts that its inviolability is absolute and cannot be profaned or corrupted in the slightest degree. Such a thesis would destroy completely the evasions and deceits practiced in relation to civil rights in this country.

We have gone considerably astray from the major import of the Waring decision, for we are sure the distinguished jurist was applying himself solely to the issue placed directly before him regarding suffrage, but even so, the Black Dispatch cannot but express its disgust at the apparent connivance and collusion of the courts in dodging the basic issue in restrictive covenants, which at the core have in essence unwillingness on the part of government to tear aside the veil of chicanery and pretense and face the vital issue relating to denial of fundamental rights in citizenship. The Waring decision is refreshing in that we find a Southern judge at long last willing to do this particular thing.

Judge Waring in that decision was positive in his denunciation of the attempt of the state to "slough its official skin and become a private organization" in order to deprive Negroes of constitutional rights, but he pointed out to the Democratic party, which up to the moment of the Waring decision, characterized itself as a private club:

" . . . Private clubs and business organizations do not vote and elect a President of the United States, and senators and members of the House of Representatives of our national congress; and under the law of our land, all citizens are entitled to a voice in such selections.

(392) 4 6. Sat. 2 - 26 - 47

" . . . The constitution and laws of the United States provide for it and forbid discrimination because of race or creed. A free ballot to be freely exercised by all the citizens is the established American way of government."

Va., Times-Dispatch
February 19, 1947

Drive Pushed To Increase Negro Vote

Machinery has been perfected for the current drive of the suffrage committee of the Richmond Civic Council to qualify 10,000 additional Negro voters in Richmond, Dr. J. M. Tinsley, committee chairman, announced yesterday.

In Madison, Lee and Clay Wards, a number of block organizations have been completed, and in many instances the blocks have been circularized with an appeal to everyone to qualify, Dr. Tinsley said.

In other sections of the city, civic organizations are directing the canvass of nonvoters. A number of churches, business institutions and social clubs have entered actively into the campaign to qualify their membership 100 per cent, and a few have reached this goal, he added.

The increasing interest in this campaign is reflected in the increasing number of people paying their poll taxes and registering, according to Dr. Tinsley who said the immediate goal of the campaign executive director, Amos C. Clark, and his ward committees, is to put at least 4,000 additional qualified Negro voters on the poll books by May 5, the deadline to pay poll taxes in order to vote in the August primary, and the November general election.

The Negro Vote

Editor of The Times-Dispatch:

In a recent issue of your paper you give credit to the National Association for the Advancement of Colored People for awakening votin interest in the Negro population of Richmond. While it does not seriously matter who does a good deed, yet the public should be properly informed.

The voting drive was started by and supported by the Richmond Civic Council. There is quite a difference in the two organizations. The NAACP has its headquarters in New York. Local branches operate in accordance with laws made by the national board. One-half the membership fees of the local branch is sent to New York to assist the national program. The Civic Council is purely a local organization. It is made up of representatives of business, fraternal, social and religious organizations, all of Richmond. It is not organically connected with any national body. It makes its laws and has charge of disbursing all its funds.

This organization is similar to the Richmond Citizens Association, except that it is older, and places emphasis on problems peculiar to the Negro group. The Civic Council employed a full-time worker several months ago to run the voting campaign under direction of the suffrage committee of the council. It is the work of this employee, supported by the suffrage committee and with the funds from the Civic Council, that accounts for the many registrations among the Negro group.

The Civic Council is nonpartisan. It meets monthly at the auditorium of the Richmond Beneficial Insurance Company, Second and Jackson Streets. This year the suffrage committee has been the most active committee in view of the important charter measures that have arisen concerning our municipality.

W. L. RANSOME,
President, Richmond Civic Council.
Richmond.

TAX BLITZ ADDS 3,000:

6,230 in Richmond Set to Vote Next Election

Afro-American
Baltimore, Md. Sat. 5-31-47

RICHMOND—The "blitz" on City Hall, staged recently by poll-tax-players as a result of the Richmond Civic Council's vote drive, resulted in boosting the number of colored persons eligible to register to 6,230, highest figure in history —3,770 shy of its 1948 goal.

That number of persons has paid the poll taxes for three years, becoming eligible to register, which act will qualify them to vote in coming elections. They must register before July 3, however, in order to vote in the August primary. Many thousands are already registered.

Only 3,000 Short of Goal

The campaign, conducted by the council's suffrage committee, with Amos C. Clark as executive director, has as its goal 10,000 qualified voters in Richmond by 1948. It has only slightly over 3,000 to add before reaching its objective, according to these figures.

The council's drive is even nearer its goal than these figures indicate, since veterans discharged last year are not required to pay any poll taxes, and those separated from the service the previous year—1945—need pay only one year's taxes and are not included in the total.

The figures were released last Thursday by G. P. Hulce, city treasurer, who had checked the number of colored taxpayers first, largely because of the unprecedented interest created among politicians by the apparently sudden rush of colored persons to pay poll taxes.

Making Count of Whites

Mr. Hulce said he had not completed a count of the number of white persons who have paid their poll taxes for the past 3 years, but estimated that the number would run to approximately 40,000 or 45,000. It is known, however, that a large percentage of that number will not register.

The conservative gure of 6,230 qualified voters (granting that service men will make up for those who do not register) is almost three times as large as the number (2,549) of persons, including both races, who voted in the 1946 councilmanic election.

Should that number of colored voters qualify. they would represent approximately 95 per cent of the total vote cast in last year's April primary and 20 per cent of the largest vote ever recorded in Richmond. The record year was 1944, when 31,922 votes were cast in the Presidential election.

Previous Total 3,802

Although colored voters should represent a third of the city's voting strength, in the past they have constituted only a small portion—an inconsequential portion—of teh city's voters. Previous to the current campaign, only 3,802 colored persons were eligible to register here.

Politicians are worried because of their fear that these newly qualified voters are determined to exercise their newly won right to vote. This worry is real and is lessened little by the fact that there are some 40,000 potential white voters. Sat. 5-31-47

These politicians are worried because they know that should white voters—even though qualified — follow their usual custom and stay away from the polls in large numbers, and a large number of colored voters flock to the polls, it will mean the death of the political careers of many of them.

Negroes, Unionists Rush to Register for Norfolk Run-off

The Worker
New York, N.Y. Sun. 7-13-47

NORFOLK, Va.—An unprecedented record was established during the registration period ending July 5. Efforts of Norfolk citizens to become qualified in order to participate in the pending August 5 Democratic Primary saw city office lines crowded.

The last time registration clerks witnessed such a last minute rush was the period immediately preceding the Al Smith-Herbert Hoover campaign. In an off-year election, the race for seven Virginia General Assembly seats is being waged by fourteen candidates, and has all the earmarks of a close contested race.

Reasons for the huge turnout for registration are manifold, but most political experts believe the entry of an able Negro attorney, Victor J. Ashe, candidate for the House of Delegates, has spurred many Negro communities into political activity. There are more Negro qualified voters in Norfolk today than at any other time.

Also, pre-registration activity of the Tidewater CIO Industrial Union Council has resulted in increased labor registration, both AFL and CIO. Sun. 7-13-47

The running of John P. Spry, Brewery Workers Union business agent, has stirred the machine-candidates to rally their supporters to the polls. Mr. Spry is also President of the Tidewater CIO Industrial Union group.

In 1946, when Mr. Ashe ran for Norfolk City Council, his life was publicly threatened to the effect that "no Negro will ever live to serve in the City Council." The threat was offered at a public political rally, reported in the local press, and was made by a person who claimed to be related to Virginia's Senator Harry Byrd, **Machine Boss of the Democratic Party.**

Legislator Would Ban Blog Voting

Move Seen As Fear Colored Candidate Might Be Elected

Washington Tribune
Washington, D.C. Sat. 7-19-47

Mr. Phillips said his plan to amend the election law crystalized after he realized that he office than the number of persons required to fill the sai

been voted for a lesser or great
er number of names for any one

If a ballot is found to have

dates to fill all offices.

void ballots on which the voters did not choose sufficient candi-

ed in such a manner as to make

to have the election law amend-

Phillips said he would attempt

nominated to stand for reelec-

Richmond in which he was

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reviewing the results of the

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course, it was in my mind, but

ty vote, he admitted that "of

voting in Virginia primaries

signed to eliminate the bloc

General Assembly a bill de-

to propose introducing in the

Delegate Charles H. Phillips

being elected to public office

ultimately result in a Negro

that "solid shot" voting will

The amendment would read

by anything less than a majori-

representatives of the public

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centered in what he believes to

seeking the amendment was

Although Delegate Phillips

principal concern in

HIS PURPOSE

said his principal

not foremost" that the effect of

the amendment would be to

help prevent the election in

reelec-Richmond of a Negro member

of the General Assembly by

"solid shot" voting

THE AMENDMENT

drawn by the Bureau of

Statutory Research and Draft-

ing.

office, or if the title of the office is erased, the said ballot shall be considered void as to all the names designated to fill such office, but no further."

Making it clear that his proposal is aimed at the Negro voter in particular, Mr. Phillips said his action, if successful would return the election requirements on that point prior to the Constitutional convention of 1901-1902 when voters were required to name candidates for all offices.

AGAINST OTHER GROUPS

The assemblyman declared his proposed amendment would work equally as effective against special interests, such as labor.

"It would be the same thing," he continued, "whether the solid shot voting was done by the colored element, the city element (City Hall), the church element or the liquor interests.

"It has been said," he related, "that City Hall controls 6,500 votes," and the law change would prevent that number from getting solidly behind only one candidate.

COLORED CITIZENS VOTE

The bloc voting of colored citizens in Richmond in the recent Democratic primary was described as the heaviest of its kind in the history of the city by Delegate Phillips who declared that the Negro voters, instead of electing their candidate—Oliver W. Hill—who ran eighth in the race, and came within 190 votes of being nominated to stand for election to the House of Delegates in November, really did themselves a disservice.

"Instead of trying to elect representatives who would represent the best interest of the people they let themselves be talked into politics," he said.

The legislator declared that a check at one precinct revealed that "Five hundred votes were cast there, and I received only 20. Did that mean that the rest of the voters didn't want me," he asked.

Mr. Phillips said as a matter of fact, he had received much praise from Negro leaders for his part during the last regular session of the General Assembly in pushing enactment of two major statutes, the anti-flogging bill and the act to allow veterans below the age of 21 to borrow money under the "GI Bill of Rights," both of which he declared to be of "great importance to the Negroes."

Bloc voting is expected again in Richmond in the November general election. Reports state that Mr. Hill who polled more than 6,000 votes in the primary, has urged his supporters to vote for W. H. C Murray, labor-backed candidate who nosed out Mr. Hill by 189 votes.

In addition, Richmond's Republicans are almost certain to get a solid bloc behind their two candidates.

37e(1) 1947

Alabama

Mr. Poole's Statement

The News. Birmingham Ala.

Alabama's commissioner of agriculture is from the Black Belt. Any statement from him on the necessity of maintaining or abolishing the poll tax may be purely his own opinion, but Mr. Poole has so long been associated in the public mind with South Alabama's affairs, and he has been so long a public figure, that it may reasonably be assumed he speaks the mind of many other Black Belt politicians. Hence his recent statement in the newspaper published by his office comes as a surprise. He is now for the repeal of the poll tax, he says, on the ground that it has outlived its usefulness.

Mr. Poole points out that all World War I and II veterans are automatically exempt from payment, as are all citizens over 45. The number of those left who pay their $1.50 per year into the state's treasury for use in educational funds is not so large as to make any appreciable difference in state resources. But, says Mr. Poole, the Boswell amendment has now been passed; its administration will have the same effect as the maintenance of the poll tax: the retarding of voting by certain people. Be it noted that Mr. Poole used the word "retard" in his statement.

It may well be true that if the Boswell amendment is honestly administered by the various boards of registrars, the number of voters in the state may be increased as more and more citizens qualify under the terms of the act. In general, students of government are convinced that the broader the base of voters, the more nearly the representatives elected are likely to perform the will of the people. Hence Mr. Poole's willingness to discard the antiquated poll tax system is understandable on the basis of a genuine desire to get on the registrar's books a larger number of names of men and women intelligent enough to vote for the state's best interests at home and in national affairs. There is no doubt that the poll tax itself kept many folk away from the polls who can be admitted on the basis of intelligence rather than financial ability to pay.

But it is difficult to follow Mr. Poole's pronouncement on the reapportionment issue. He admits quite frankly that the present system of allotting legislative representation is unfair, but he does not want any changes made which would disturb the balance of power now held by the small counties. Isn't that pretty much like an admission of unfairness but a refusal to do anything about it? "If you would go strictly according to population, you would give Jefferson, Montgomery, Mobile, Etowah and several other larger counties an overwhelming majority." Yes, Mr. Poole, that's what would happen. But isn't it also a well-recognized democratic principle, dear to the heart of all Americans, that rule shall always be by majority vote? Any other system smacks of government by special privilege or oligarchy, and as such is abhorrent to the majority of people, to those people who, in Alabama, are not fairly represented for just the reason that has been mentioned.

Wed. 1-1-47

Deadline Near On Poll Taxes; Voters Warned

The Advertiser Montgomery Ala.

Less Than 3,000 Paid To Vote In Primary On March 17

Sun. 1-19-47

Less than 10 days now remain for voters to pay their poll tax, if they wish to vote in the City elections, March 17. Yesterday it was learned at the County Courthouse that less than 3,000 had paid this tax.

Last year 4,270 white voters and 112 Negroes paid this tax to qualify. This year, so far, only approximately 2,900 white and Negro voters have paid.

Veterans are not required to pay this tax, they must nevertheless, register. There appears to be some confusion about this.

An official also commented that "quite a number" of people are not paying the poll tax, and so will lose their vote, because they believe the Poll Tax" will be repealed by 'Big Jim'."

The officials pointed out that such a repeal requires legislative action, and this certainly will not be attempted before the date of the City Primary election. Persons wishing to vote should, therefore, pay the required $1.50.

"In any event," he said, "the money goes to the education fund and they should be happy to pay it."

On January 4 J. Mac Jones, chairman of the City Democratic Executive Committee, urged all residents of Montgomery who were qualified voters, to exercise their democratic right and vote in the election.

The last day this tax can be paid is January 31, but the Courthouse will be closed, of course, today, and tomorrow, and over next weekend, reducing the actual number of days when this can be done, to nine and a half.

JUNK THE POLL TAX!

The Advertiser Montgomery, Ala. Thurs. 1-2-47

Commissioner of Agriculture Joe N. Poole is to be commended for his forthright stand against the poll tax in Alabama. Mr. Poole, for a number of cogent reasons, advocates repeal of the poll tax by the legislature which meets now in a few days.

Mr. Poole argues that adoption of the Boswell amendment makes the poll tax unnecessary and superfluous. "The poll-tax has a two-fold purpose," said Mr. Poole. "First, to retard the voting of certain people; and, second, to furnish funds for the school system of Alabama." Since he believes the Boswell amendment is calculated to retard sufficiently the voting of "certain people" regarded as undesirable elements in our democratic society, Commissioner Poole aptly reasons that the poll tax is no longer needed for that purpose.

On the second point which he advances for repeal of the tax, Mr. Poole is on equally tenable ground. If there was ever any merit in a poll tax for the support of public education, that time long since has passed. Had the support of public education been a legitimate excuse for the imposition of a "poll," or "head" tax, it should have been levied indiscriminately and without regard to exercise of the suffrage. But as Mr. Poole points out, the revenue derived from this source has long been insufficient to be of any real support to education. Furthermore this revenue in all likelihood will become more and more insignificant as a factor in the support of Alabama schools.

There are, of course, other good reasons not mentioned by Mr. Poole why Alabama should abolish the poll tax. One of these is the fact that the poll tax has tended to discourage mass interest in the processes of democracy. And of all the economic groups in Alabama, no one group has been harder hit by the poll tax than the farmers. Those who have a working knowledge of Alabama farmers and farm communities are aware of the shockingly low percentage of qualified voters in a vast majority of those communities. Mr. Poole therefore renders outstanding service to those of Alabama whom he primarily represents, by advocating repeal of the poll tax.

The poll tax will not die easily, however, because all too many selfish interests and individuals consistently oppose any move to broaden citizen participation in balloting. These people condemn all such proposals as Mr. Poole's as giving greater opportunity to the Negro vote. Yet these same people know very well that Alabama has more disqualified white voters than Negro voters.

The simple fact is that what such people want is "few voters." This gives better opportunity to the precinct, city and county machines which are enterprising in the matter of paying up poll tax for their special friends. It is also duck-soup for the rich candidate or ringleader who is glad to do this "favor" for voters who will accept it.

The Advertiser Montgomery, Ala.

It is to be hoped that the Legislature will seriously consider Mr. Poole's advice on abolition of the poll tax. Both liberal and conservative wings of the Democratic Party in Alabama are generally agreed that it is an out-moded device, ready for the garbage can.

Thurs. 1-2-47

ABOLISHMENT OF POLL TAX

Birmingham Ala. News

Until recently there were few advocates of abolishment of the poll tax, at least outspoken advocates of this change, but now, it seems, there might be even a majority who favor removing this requirement for voting.

Joe N. Poole, a Black Belt resident says that, since the Boswell amendment has been adopted, there is no longer need of the poll tax as a requirement for suffrage, that the poll tax serves, or did serve, only two purposes, the restriction of a certain group of citizens in voting and the aid of education. Both of these reasons, he thinks, are no longer valid.

37e(1) Ala.

The Record does not quite see how Mr. Poole can be so sure about the Boswell amendment doing what it was intended to do for, as The Birmingham News well says, the Boswell amendment might be declared unconstitutional by the U. S. Supreme Court. As for education, there is scarcely a cause of public concern today in greater need of funds than it is. It is, of course, a different argument as to whether the poll tax method is the best way to secure it.

On either count, which Mr. Poole says are the only ones that figure in the poll tax question, there seems to be no more justification for a change now, or at least little more justification than heretofore. But attention has been called to the subject and it will naturally be argued pro and con in the forthcoming Legislature.—Dadeville Record.

House Group Urged To Let Poll Tax Stand

Montgomery, Ala. Advertiser

McCorvey Avows Change Would Remove Barriers To Unqualified Voters

Thurs. 1-2-47

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was voiced yesterda
from Gessner McCo
man of the Alabama
An appeal to the members of executive committee.
the House committee on consti- "We certainly do
tution and elections not to favor have the experience G
bill to destroy the cumulative poll said Chairman McCo
that state abolished
law and let the bars down so that a two year tax
erday in a letter almost everybody and everything
McCorvey, chair- could vote."
abama Democratic Chairman McCorvey made an
appeal to let things stand as they
do not wish to are and not yield to pressure
ence Georgia had," from the North to flood Alabama's
McCorvey, "when polling list with thousands of un-
shed the poll tax qualified voters.

Among other points made by McCorvey were the following:

"I feel that in discharging my duties as chairman of our State committee, I have probably given more consideration to our election and suffrage laws than most Alabamians, and it is for this reason that I wish to take the liberty of writing you on this poll tax proposition which you now have under consideration. Thurs.

Valid Method 7-24-47

"In my opinion the poll tax, with its cumulative feature, should, by all means, be retained as it now is in full force and effect. It is a perfectly lawful and valid method of getting rid of a very large number of people who would not cast an intelligent ballot, even if they were given the right to vote. Thurs. 7-24-47

"Of coursee, there are many people who would make splendid electors or voters who have not paid their poll tax due to lack of funds, and if there were any way by which we could take care of these people without throwing the bars down and letting in a great horde of unqualified voters, I would be in favor of doing something for their relief.

12c A Month

"As a matter of fact, while there are exceptions to all rules, I believe that you will all agree with me that as a rule a man is not a very good citizen who is unwilling to pay the almost trifling sum of $1.50 per year—about 12c per month—towards the education of his children and his neighbors' children, when the taxpayers of the State are furnishing a free education through our public schools to all the children of the State. Of course, all of the poll tax money goes direct to the schools.

"I have, on any number of occasions, called attention to the outstanding men who were members of the Alabama Constitutional Convention which framed our present Constitution. While there are only a few of these grand old citizens still living, yet one of the great works which they accomplished, and which will stand forever as a monument to their foresightedness, was that part of our Constitution dealing with our suffrage laws. These men realized, as most of us do now, the difficult situation of two separate and distinct races living together, side by side, with a Federal Government apparently determined to see that no distinction is made between them, regardless of the unfitness of many of these citizens to become intelligent voters.

Called "Unfair"

"I very sincerely hope that the present Legislature will do nothing in the way of striking down these laws which this group of distinguished Alabamians of another generation gave us, and which laws have for so long a time protected us against having the government of some of our counties taken over by a group which is unfitted to govern themselves, much less govern others.

"I feel very keenly that those of us who live in sections of the State where such serious threat does not hang over us, should absolutely go the limit in protecting the splendid Alabamians living in our Black Belt.

"I am not unmindful of the fact that many excellent white citizens have been deprived of voting because they have not paid their poll tax, but let's ask these people to make a special effort to pay up their back poll taxes so that they can qualify as voters.

"As I have frequently stated, a repeal of our poll tax laws would merely be taking down one more barrier which has stood the test of time, and which was constructed to protect us against the efforts of people in other sections of the country, who mean well but know nothing of our conditions, who wish to take away from us the right to fix the qualifications of voters in our own State. Thurs. 7-24-47

Threat Stands

"By the adoption of the Boswell Amendment last Fall we have done much towards insuring an intelligent electorate, but there are still threats of this law being tested in the courts, and the Lord only knows how far the Supreme Court of the United States, as now constituted, will go in further destroying State's rights and flinging to the four winds all of our Southern traditions.

"I, for one, am greatly opposed to removing any of the hurdles that now have to be jumped before an almost numberless group of unqualified voters shall have the right to vote in this State, and I think it is high time for us to give our Northern friends to understand that the maintenance of a poll tax law has worked well in Alabama; and we have had intelligent government; that we have no desire and no intention of putting on our poll lists vast hordes of voters who care little for their State or Federal Government; and that so far as we are concerned, **we intend to continue doing everything in our power to see that our voting lists are not flooded with the names of voters whom those unfriendly to our State would like to place in the saddle and place in the control of our people.** Thurs. 7-24-47

"We certainly don't wish to have the sad experience that Georgia had when they abolished their poll tax law and let the bars down so that almost everybody and everything could cast a vote.

Chloroform

Montgomery, Ala. Advertiser

Blacks Out

Thurs. 7-24-47

Poll Tax Bill

Measure Is Postponed Until 35th Day Which Voids Senate Action

Time Too Short

10 Per Cent Liquor Tax Measure Is Reported Minus Recommendation

By G. C. LONG

The House ways and means committee yesterday reported without recommendation a bill to levy a 10 per cent tax on liquor while the constitution and elections committee was postponing until the 35th legislative day action on a proposal to abolish all but two years of the poll tax cumulative feature.

Unless the members reconsider, or the House forces them to return the measure, the delay will kill the bill because even if it passed the House on the 35th day, there would not be enough time left for the Senate to act.

The session is limited to 36 days, and at least three days in each House are needed to pass an agreement.

In the meantime the business and labor group delayed for a week a vote on a proposal to make unemployment compensation benefits payable for loss of work because of illness.

Other action during the day found committees from both the House and Senate considering measures of less controversial nature. Thurs. 7-24-47

The legislature will come back into sesion for its 19th legislative day at 9 o'clock this morning and adjourn later in the day until Tuesday of next week because of the American Legion convention here this week-end.

Action of the ways and means committee in sending the 10 per cent liquor tax bill back to the House brought to a total of 17 per cent the proposed levy on liquor by this legislature.

The other two bills taxing spirits would levy a 2 per cent tax on State store sales, the revenue to be used to establish and maintain regional trade schools (by Rep. George C. Wallace, Barbour County), and 5 per cent, the revenue to go to the towns and cities on a per capita basis (backed by the Alabama League of Municipalities).

Reps. Ira B. Thompson, Crenshaw, and Edward B. Miller, Etowah, authorized the proposal to levy the 10 per cent tax. The money would be earmarked for old age assistance by the State Public Welfare Department.

The bill provides that the money be collected at the store at the time of the sale and kept separately from other funds. The other two bills would collect the revenue by marking up the price of the liquor.

Although a majority of the members of the ways and means committee voted to get the bill on the floor of the House it was with the understanding that the purpose was to have it there for consideration with the other two proposals.

Four Million

In asking that the bill be reported, Rep. Miller estimated that it would produce approximately $4,000,000 annually and would enable the Welfare Department to increase old age pensions to around $30 per month.

He added it was his opinion the addition of the 10 per cent tax would not "materially" effect liquor sales in Alabama.

The committee first voted to keep the bill for further consideration but on reconsideration it was reported out.

The poll tax hearing was one of the liveliest of the present legislative sessions. The vote to postpone action came after members of the constitution group received an appeal from State Democratic Chairman Gessner T. McCorvey to let Alabama's election status remain unchanged.

Anothe opponent, H. A. (Gus) Thompson of Birmingham said he, too, would object to any change in election laws "at this time." Thurs. 7-24-47

Thompson, an election official himself, said repeal of the cumulative aspect of the poll tax would open the ballot to "10,000 or 12,000 people in two boxes in Birmingham who can't read or write the English language."

"And one man would mark every one of those ballots," Thompson said, adding, "we know who he is, too."

But he did not identify him.

The measure would limit collection of unpaid poll taxes to two years. Under the present constitution, a voter who has never paid the $1.50 a year assessment must settle up in a lump sum for every year since he became 21 or since he entered the State, whichever is later.

$20 A Week

The sickness compensation bill discussed by the business and labor committee would permit workers to draw up to $20 a week for time lost from their jobs because of illness. Benefits are payable now only in event of joblessness.

State Industrial Relations Director Fleetwood Carnley and President Jack Brock, of the Alabama Federation of Labor led spokesmen for the measure. Brock contended that since the additional taxes imposed by the bill would be borne by employes, businessmen should not object if workers wanted the additional benefits.

Industrial leaders, headed by President Frank Samford, of the State Chamber of Commerce, argued, however, that many employes did not want the law changed, and expressed fear it might result in more taxation for business. Thurs. 7-24-47

One Per Cent

The proposed change in the law would make employes pay a flat 1 per cent of their wages instead of the graduated scale now in effect under which many of them now only pay one-tenth of one per cent.

Industrialists contended the tax would not be great enough to meet the claims and that they might be called on, directly or indirectly, to make up the difference.

The education group in the House approved a bill by Representative George Wallace, Barbour, providing educational benefits for dependents of World War II veterans who died in action.

The Senate finance committee continued its study of the general fund and educational trust fund budgets. One version already has been passed by the lower chamber.

Reported Favorably

Reported favorably by the House ways and means committee were bills to

Require the licensing, inspection and regulation of all hospitals execpt Federal hospitals in Alabama.

Provide retirement benefits to teachers and State employes already retired and not covered by the present retirement systems.

Give an additional appropriation of $64,900 to Tuskegee Institute. Thurs. 7-24-47

Grant a conditional appropriation of $350,000 to Atmore Prison for the construction of a prison and sewage system.

Increase the salary of the State health officer to $10,000 from $6,000 yearly.

Increase the pay of court reporters to $3,600 per year.

Increase exemption for blind, deaf and dumb and for incompetent veterans by exempting household goods, furniture and equipment in homes from ad valorem taxes.

Increase homestead exemption (ad valorem tax) from $2,000 to $3,000, contingent on the passage of the income tax amendment.

Increase to six cents a mile from five cents expense money paid to State employes for the use of private vehicles.

Increase the salaries of the secretary of State, State auditor, and State treasurer from $4,800 annually, to $5,700.

Also given a favorable report after a sa
community property bill
sponsored by Representative W.
H. Beatty, Jefferson. Proponents
said it would decrease the pay-
ments of Alabama's Federal in-
come taxes and at the same tin.
increase payments to the State.
The Senate finance and taxa-
tion committee passed out favor-
ably a bill to appropriate $25,000
next year and $40,000 the year

Prattville, Ala. Montgomery Advertiser

POLL TAX

Editor, The Advertiser:

My great uncle, Capt. W. P. Howell, was a member of the Constitutional Convention that made the present poll tax law, but since the Constitutional Convention of 1901, conditions have changed. We are living in a new world; we are now faced with a problem of whether we can retain our American way of living or that of Communism. Since the grand old men of one-half century ago made the present poll tax law, we have lived through two of history's greatest and bloodiest wars in which thousands of young men have lost their lives for our freedom and for democracy. Tues 7-29-47

Since 1901 two of the world's worst depressions have changed our way of thinking.

Since then thousands of men and women who were not physically able to share in the high wages on account of age and who, because of their meager earnings being exhausted for the reason of high cost of living are being disfranchised because of accumulated poll tax. Alabama is the only State that requires a maximum of $36 for freedom and citizenship, yet the only reasons given for returning the present law are:

1. A great number of Alabamians are ignorant and don't know what they need.

2. Because a few old Negroes will be allowed to vote whose descendants are required and have fought, bled and died to make us free. How can we expect Americanism to live by such tactics of disfranchising these groups of people not to give every Alabamian a right to be free?

Education is not the only factor to qualify men and women to vote. A man with good common sense and with an unselfish heart is a better citizen than "an educated fool," who thinks of laws for his own personal greed, and the sooner we act to give all the people in Alabama a chance to be citizens, the sooner we will blot out and smother the seeds of discontent and Communism in Alabama. Tues 1-29-47

Let's help to sow the seeds of democracy, Americanism and fair play to every Alabamian regardless of whether he is black or white. Educated or uneducated, many people are not educated because of our lack of better educational facilities and a lack of the people of Alabama being willing to pay to support education.

How can we expect the white population to be educated with an average $1,200 teacher salary? How can we expect the Negro population t be educated with an average teacher salary of $720 per year?

The same books in citizenship are studied by both races, but when the little Negro is old enough to realize, he finds that he is not by law, a citizen and that is the time the seeds of Communism begin to grow. And, with a growing racial discontent and with a home environment among the white race, because daddy and mother are disfranchised, the boys and girls of many homes in Alabama have no incentive to vote and be a good citizen. Let's let every Alabamian feel that he is a part of our government.

And by selfishness and bigotry, we may drift into another world war of total destruction.

We cannot outlaw Communism, yet we may outlive it by making people love the American way of living—equal rights, freedom and democracy is the only way.

Capitol. JOHN W. HOWELL,
House of Representatives.

Jun-8-3-47

POLL TAX LAWS

To the Editor of The News-Age-Herald:

My great uncle, Capt. W. P. Howell, was a member of the constitutional convention that made the present poll tax law, but since the constitutional convention of 1901 conditions have changed. We are living in a new world; we are now faced with a problem of whether we can retain our American way of living or that of communism. Since the grand old men of one-half century ago made the present poll tax law we have lived through two of history's greatest and bloodiest wars in which thousands of young men have lost their lives for our freedom and for democracy.

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And, by selfishness and bigotry, we may drift into another World War of total destruction. Sun-8-3-47

We cannot outlaw communism, yet we may outlive it by making people love the American way of living. Equal rights, freedom and democracy is the only way.

JOHN W. HOWELL,
Representative, Calhoun County.

The Poll Tax Issue

This paper believes that the constitution and elections committee of the House made a mistake when it shelved the proposal to reduce the burden of the cumulative feature of our poll tax law. What the committee has done is to make highly improbable any further action on this matter by this Legislature. The committee would have served the state better if it had abstained from chloroforming the amendment. No one can say what the General Assembly would have done with this issue, but it should have been permitted to face up to the challenge. There is so much sentiment in Alabama backing a change in our poll tax setup that this disposition of the question must be put down as an arbitrary and regrettable performance. Fri * 7-25-47

Montgomery dispatches dwell on the opposition to the change which was registered by Gessner T. McCorvey, of Mobile, and A. H. Thompson, of Birmingham. Both of these gentlemen deserve a respectful hearing. Mr. McCorvey is chairman of the State Democratic Executive Committee and Mr. Thompson is clerk of the Jefferson County Democratic Executive Committee. But if one is to judge their attitude by quoted passages from their statements, one may question their faith in democracy with a small "d." Bham., Ala. News

Mr. McCorvey contends that our present poll tax statute is "a valid method of getting rid of a large number of people who would not cast an intelligent ballot, even if given the right to vote." In other words, Mr. McCorvey takes a Hamiltonian view of this matter. That is his privilege, of course, but in this instance he indulges himself at the risk of being charged with inconsistency. For was he not the prime mover behind the constitutional amendment aimed at making sure of the intelligence he would require? Whoever passes those tests is surely intelligent enough even in Mr. McCorvey's eyes.

Mr. Thompson thinks that if you cut down the load as to back taxes you will give the ballot to thousands of persons in Birmingham "who can't read or write the English language." But how would that be possible in view of the stiff gauntlet such new voters would have to run when they register? Fri 7-25-47

Neither of these party officials mentioned the Negro, who has been the major target of suffrage restrictions. But the truth is that the poll tax and other limitations on the ballot now victimize a great number of white Alabamians just as they do many Negroes. Former Gov. Sparks caught that point when he urged the Legislature to do something about cutting down the burden of accumulated poll taxes. His argument was based on the way the poll tax as we have it keeps white persons from voting. He considered that a deplorable situation, and so must other thoughtful Alabamians who try to think this problem through.

Poll Tax

Thursday 7-24-47

Continued From Page 1

The poll tax measure would limit collection of unpaid poll taxes to two years. Under the present constitution, a voter who has never paid poll taxes must pay for every year since he became 21 or since he entered the state, whichever is later. Amount of the annual tax is $1.50.

The sickness compensation bill would permit workers to draw up to $20 a week for time lost from their jobs because of illness. Benefits are paid now only in event of joblessness. 7-24-47

State Industrial Relations Director Fleetwood Carnley and President Jack Brock, of the Alabama Federation of Labor, led spokesmen for the measure. Brock contended that since the additional taxes imposed by the bill would be borne by employes, business men should not object if workers wanted the additional benefits.

Industrial leaders, headed by President Frank Samford of the State Chamber of Commerce, argued, however, that many employes did not want the law changed, and expressed fear it might result in more taxation for business. Birmingham

The proposed change in the law would make employes pay a flat 1 per cent of their wages instead of the graduated scale now in effect under which many of them now only pay 1-10th of 1 per cent.

Industrialists contended the tax would not be great enough to meet the claims and that they might be called on, directly or indirectly, to make up the difference. News

Meanwhile, another liquor tax measure came out of committee and headed for the House calendar, making three in all. 7-24-47

The ways and means group reported out a bill to tax state-store sales by 10 per cent with proceeds earmarked for public welfare.

Previously sent back to the House for final disposition were measures calling for a 2 per cent tax to finance additional trade schools, and a 5 per cent levy to give new revenue to city governments.

37e(1) 1947

Alabama

Fri 1/25/47
Montgomery Advertiser

STITCH IN TIME

So the poll tax reform legislation is laid to rest again. One bill lies dying in Congress; another in the Alabama Legislature Montgomery, Ala. No one is surprised. 37e(1)

There is no point in laboring the issue now. It will be time enough when it reappears, hardy perennial that it is. Fri. 1-25-47

There is just one consideration that we would like to leave with Gessner T. McCorvey, chairman of the Democratic Executive Committee, and others who have been campaigning against modification of the cumulative feature.

The United States House of Representatives enacted an anti-poll tax bill by a resounding vote of 290 to 112.

There are only seven States—all neighbors of Alabama—that have poll taxes. That means that Congress was seeking to legislate for these seven Southern States, in the spirit of the 15th Amendment to the U. S. Constitution.

We may not like it. We may protest in the "Nullification" manner. But Mr. McCorvey and other party leaders in Alabama will have to concede that Congress has drawn a bead on us.

A tree bends before the storm in order to stand. Fri-1-25-47

Modifying Alabama's poll tax won't save the day by itself. But it is one of the things we apparently are going to have to do forehandedly if we are to avert other congressional interventions.

37e(1) 1947

Alabama

SUDS BUCKET AND ALL

Advertiser, Montgomery Ala. Sunn. 10-26-47

Gov. Folsom will open his Third Primary tour Wednesday at Luverne. He will, according to a letter sent out by him, speak in the afternoon at Troy and in the evening at his home town of Elba, which presumably is named after the place from which Napoleon escaped. 37e(1)

"I will speak," Folsom wrote, "to you. . . . I'll be in your county on that day. I'm bringing my string band, the Strawberry Pickers, with me. I want you to come out and listen to what I have to say. . . . I'm looking forward to seeing you."

His Excellency has also announced that he would take with him his Suds Bucket to receive contributions. Sunn. 10-26-47

He says he will be campaigning for his defeated rural roads program, a constitutional convention and repeal of the poll tax. But inasmuch as the legislature will not return for almost two years, we hope to be forgiven for assuming that this prime purpose is to defeat the Self Starter Amendment, which would permit the Legislature to reconvene for 10 days on its own should it appear that help is needed at the Capitol.

37e(1) 1947

Arkansas

Farmers Set New Poll Tax Record

By Associated Negro Press

PINE BLUFF, Ark.—Poll tax payments in Jefferson county this year have exceeded the all-time high of last year, according to Sheriiff Garland Brewster. The number issued last year was 11,400. This year the figure was about 15,600. A large number of "last minute" receipts were issued to Negroes, after a meeting of the Veterans and Citizens League for Better Government in the courthouse.

Negro farmers in Jefferson county for years have been hesitant to register because of hostility and threats by whites. Determination, however, is gradually replacing this fear.

Jefferson county has more Negro farm families than any county in the state.

37e(1) 1947

General

ANTI-POLL TAX BILL ADOPTED IN HOUSE BY VOTE OF 290-112

37e(1) Gen.

Southerners, Alleging 'Revenge' by GOP for Tax Veto Stand, Invoke Futile Delays

New York, N.Y. Times

14 REPUBLICANS OPPOSED

Tues. 7-22-47

No Senate Action in View This Session, but Measure Goes on Agenda for 1948

By WILLIAM S. WHITE

Special to THE NEW YORK TIMES.

WASHINGTON, July 21—The House broke a series of delaying actions by Southern Democrats today and passed, for the fourth time in five years, a bill to knock out the poll tax voting requirement in national elections. The vote was 290 to 112.

The measure, which Southern members declared designed to wreak "revenge" upon them for voting to sustain President Truman's vetos of the two Republican tax bills, was sent to the already crowded eleventh-hour calendar confronting the Senate.

There was not the slightest prospect for action by the Senate at this session, before the scheduled adjournment of Congress Saturday, but the bill will take a place on its agenda for next year. All such previous House enactments have died in the Senate under determined filibuster by Southern members.

Tues. 7-22-47

Almost immediately after the House met this morning the Republican leadership brought up the poll tax bill.

Force Delaying Roll Calls

The Southerners, led by Representative Tom Pickett, Democrat, of Texas, protested that they had been taken by surprise and threw in every parliamentary roadblock to which they could readily lay hand, ultimately forcing two roll calls to delay matters.

The Republicans, aided by something less than half of the Democratic membership of the House, were implacable, however, and at length brought the bill to a vote in such a way that normal rules could be suspended and the debate limited to an aggregate of forty minutes.

Then the ponderous coalition rolled on to victory. Seventy-three Democrats joined 216 Republicans and the American Labor member, Vito Marcantonio of New York, to pass the measure.

The Southern Democrats stood with a solidarity seen among them this session on no other issue and ninety-eight Democratic votes went in against the bill, substantially the entire voting strength of all the Southern states, those with and those without the poll tax.

Fourteen Republicans, including some of the oldest members of the House, voted "no." Among them were such leaders as John Taber, chairman of the Appropriations Committee, and James W. Wadsworth, both of New York, and both among the party's senior advisers.

Denies "Revenge" Motive

Tues. 7-22-47

Representative Charles A. Halleck of Indiana, the Republican floor leader, formally denied any "revenge" motive in the decision of the party to put the bill through.

Challenged by Representative John Bell Williams, Democrat, of Mississippi, over a published interview in which a Republican, Representative Gerald W. Landis of Indiana, was quoted as saying that the party intended to "get even" with the Southern Democrats, Mr. Halleck asserted:

"Certainly there is no such thing as that in the minds of any of the leadership on this side."

He could not speak, he added, for Mr. Landis.

Mr. Williams accused the Republicans of "demagoguery," and Mr. Pickett asserted: "Every lawyer in Congress knows that this is not a Constitutional bill. 65 per cent of you here know it, and yet you're going to vote for it for political purposes."

Representative Sam Hobbs, Democrat, of Alabama, declared:

"A lynching is in progress here again. The Constitution is being trodden into the dirt. The Supreme Court of the United States has passed fourteen times on this question, and fourteen times it has said that this matter (the levying of a poll tax) is not remotely a Federal province, but the province of the states."

Tues. 7-22-47

Representative George H. Bender, Republican, of Ohio, author of the bill, said that it was the system of the poll tav itself "that violates the Constitution."

In the seven states where it is still collected — Texas, Virginia, Mississippi, Tennessee, South Carolina, Alabama and Arkansas—it was, he asserted, "a device for disfranchising voters."

Representative Mary T. Norton of New Jersey, representing the northern wing of the Democratic party, noted that the United States was seeking to promote democracy abroad and urged:

"Let's not attempt to correct abuses in other parts of the world until we have corrected this one."

AT LEAST A MORAL VICTORY

Legislatively the House passage of an anti-poll-tax bill yesterday does not mean a thing. The bill will not reach the floor of the Senate, and if it did it would be killed by filibuster. The House has passed such bills before—in 1942 by a vote of 254 to 84; in 1943 by a vote of 265 to 110; in 1945 by a vote of 251 to 105. Yesterday's vote was 290 to 112—the highest yet, with 216 Republicans reinforced by seventy-three Democrats and Mr. Marcantonio. Representatives Rankin of Mississippi and Pickett of Texas led the opposition, both speaking for states in which the poll tax is still a means of preventing citizens from voting. They used the same arguments that had been used before. Among other things, they said that the Federal Government cannot constitutionally abolish the poll-tax requirement for voting. But if spokesmen for poll-tax states had real confidence in this argument, they would not need to make such desperate efforts—amounting in the Senate to a sit-down strike on all legislation—to keep a bill from passing.

N.Y., N.Y. Times

The argument against the poll tax is not that the Federal Government has a right to interfere in the domestic concerns of the states. It is that an artificially limited franchise in elections to federal offices is an interference by some states in the affairs of the nation. Laws which concern all of us are acted upon, sometimes decisively, by representatives from the limited-franchise districts. The results might be different if all those morally entitled to vote were actually enabled to vote. The limited franchise in Virginia, Texas, Mississippi, Tennessee, South Carolina, Alabama and Arkansas is very much the business of citizens of New York, Massachusetts and other states. Some day this fact will be generally realized and some day the Senate will have to back the House up in anti-poll-tax legislation. Yesterday's action in the House was at least a moral victory.

Playing a Cynical Game

Daily Worker New York, N.Y.

A CYNICAL game is being played out in Congress and the Negro people are its victims.

By a vote of 290 to 112, the House has voted for the anti-polltax bill which has been kicked around for years.

But neither the people who voted for it, nor the southern tories who fought it, have any idea that the polltax system is in real danger. This is not to belittle those Congressmen who honestly oppose the democracy-killing system which forces a man to pay for his right to vote, and which keeps millions of whites and Negroes from ever voting in their lives.

Wed. 7-23-47

But the heat of the debate in the House produced the real motives for the vote.

The southern tories said it was a revenge vote because they didn't back the GOP on the tax veto. It was also shown that the GOP agreed not to push the anti-lynch bill if the Democrats would back the Taft-Hartley bill.

The GOP, playing with the liberties of the Negro people, puts on this show at the tail-end of the session knowing full well that it can only remain a gesture putting them in a favorable light without in any way clashing with the polltax system as such.

Wed. 7-23-47

How can the GOP be interested in abolishing the polltax when it is the polltax system which provides them with their tory Democrat allies in Congress?

The end of the polltax would bring into Congress a new progressive bloc of southern representatives, challenging the old, semi-feudal southern bosses. This new group would fight the GOP Hooverism. That is why the GOP leadership is very careful never to bring up the bill to abolish the polltax when there is a possibility that it might become a reality. The anti-polltax and anti-lynch bills can be passed if the people insist on their passage.

Courting the Negro Vote

Dallas, Texas

ONE learns many interesting things about national politics in relation to the South by reading the New York newspapers. For example, the well-informed political writer for *The New York Times*, Warren Moscow, comes up with a story about a forthcoming Federal appointment and the reason prompting it. Here are the essential paragraphs from his account:

"The Truman administration, seeking to counteract the political effects of an 'all-white' Democratic primary in Georgia and the notoriety that attended the Bilbo contest in Mississippi, has decided on the appointment of a negro to the United States District Court in the Eastern Division of New York. The district includes New York, Bronx, and a number of near-by up-State counties to the north.

"The appointment, when made, will elevate a negro to the highest judicial post yet attained by a member of

Although several appointments almost comparable have been made in recent years, such as the appointment of William H. Hastie as Governor of the Virgin Islands, Irvin C. Mollison of Chicago as a member of the United States Customs Court and Herman Moore of Chicago as a member of the Federal Court in the Virgin Islands. None of these posts, however, can be rated with the district court judgeship in

New York.

"The information that the appointment of a negro would be desirable apparently was communicated to National Committeeman Edward J. Flynn earlier this week, before he left Thursday for a busines trip to Mexico. It was approved also by Democratic State Chairman Paul E. Fitzpatrick, and as a result Frank J. Sampson, leader of insurgent forces in Tamanny, was asked to submit a list of four negroes. . . .

"The news of the Washington decision, which has national implications and is designed to show the negro voters that they have a place in the Democratic Party regardless of the attitude in a few Southern States, completely overshadowed other important developments in the local political situation."

All of which bears out what we have been saying ever since the Congressional elections: that the Democratic leaders, including Mr. Truman himself, are deeply concerned to hold the support of the negro-left-wing coalition in the Northern States. Other interesting developments along this line can be expected from time to time during the next eighteen months. Watch for them in THE SOUTHERN WEEKLY.

LABOR, NEGRO GROUPS UNITE TO SCORE GAINS IN VIRGINIA AS U.S. EYES MISS. PRIMARY

IN MISSISSIPPI, aides of U. S. Attorney General Clark obtained copies of state rules governing voting by Negroes, despite a threat by a Mississippi official that he'd better stay out.

In Virginia, Negroes lined up with a joint labor committee to back several winning candidates and throw a scare into the Byrd machine.

In Pennsylvania, Pres. Philip Murray urged United Steelworkers to vote for Democrat Philip Storch in a special Congressional election. It was Murray's second test of the Taft-Hartley political restrictions.

Mississippi

ATTORNEY GENERAL Tom Clark and his Criminal Division were studying the Bilbo-Rankin machine's latest attempts to disenfranchise Negro voters. He moved in the face of a threat by one Mississippi official that "he'd better come down here armed."

While Clark's office was acting, a white man was slain in Laurel, Miss., in an argument among four white men over the right of Negroes to vote. Laurel has a strong CIO membership.

A short time before Mississippi's primary, Negroes were informed they could be required to swear they are opposed to an anti-lynching law and to a permanent FEPC. The requirement had been approved by the State Legislature.

According to election officials in Laurel, Ellis Gerald and his brother, Walter, were in the midst of demanding that Ransom and Otis Phillips, polls officials and also brothers, allow Negroes to vote.

Shooting began and Ransom fell, mortally wounded from pistol shots. Otis, severely wounded, was taken to a hospital. Police held Ellis Gerald in connection with the shooting, but had filed no charges when the CIO News went to press.

Lamar Puryear, a Hinds County Democratic official, informed that Clark might act in the Mississippi situation, declared: "We don't want any meddling. We run our elections like Democrats and are going to keep it that way. It's a Southern custom to tend to our own business and we expect other people to do the same." (Clark is from Texas.)

Chairman A. Philip Randolph, of the National Council for a Permanent FEPC, urged Clark to prosecute anyone attempting to enforce the Mississippi rules on Negro voting.

Virginia

For the first time, Negro organizations in many sections of Virginia joined with a joint CIO-AFL-Railroad Brotherhood committee to indorse legislative candidates against the Byrd machine in the Democratic primary.

In Richmond, a Negro came within 188 votes of winning nomination to the State House of Delegates (lower house). He is Oliver Hill, an attorney. He ran eighth in a field of 18 candidates seeking the seven nomihations. Hill received 6,310 votes.

A labor and Negro-indorsed candidate, W. H. C. Murray, Typographical Union member and president of the Richmond Central Labor Union, ran seventh with 6,502 votes.

Two candidates backed by the liberal coalition were victorious in Richmond's State Senatorial primary. The victors were Charles W. Crowder, an attorney, and James E. Gardner, businessman. There were only three seats at stake.

In a number of other sections of Virginia, such as Suffolk, Nasemond County, Danville, Covington, Norfolk City, Norfolk County and Lynchburg, joint labor committees, backed by Negroes, made favorable showings.

Rev. Charles Webber, Virginia CIO-PAC director, commenting on the results, called the showing "encouraging" for 1948, when nine members of the U. S. House of Representatives and the seat of U. S. Senator Willis Robertson will be at stake. Webber was warm in his praise of the support given by Negro voters. He foresaw closer ties in the future.

Pennsylvania

The current issue of Steel Labor, official organ of the CIO United Steel Workers of America, carries an indorsement by Pres. Philip Murray of Philip Storch, Democratic candidate for Congress in a special election for Lehigh-Bucks Counties, Pa.

Storch, a charter member of the CIO Newspaper Guild, is president and one of the founders of the Lehigh Valley Guild, Local 49.

On July 14, the CIO president indorsed the candidacy of Judge Ed Garmatz in a special Baltimore election for the House of Representatives. Garmatz won.

Of Storch, Murray said: "I am advised by member and leaders of our union in the Congressional District that he is a man of integrity and of sound and progressive viewpoint."

The Garmatz and Storch indorsements were taken as a test of the freedom of press sections of the Taft-Hartley Bill.

Storch, who is married and the father of two children, enlisted in the Marines in 1943 and did combat duty in the Pacific.

His candidacy has been indorsed by Pennsylvania labor under the banner of the CIO, AFL and Railroad Brotherhoods. Storch also is backed by veterans' groups, teachers, college professors and many community agencies. The election will be held September 9. CIO Auto Workers' Pres. Walter Reuther recently indorsed Storch.

The Lehigh-Bucks District is normally Republican.

37e(1) 1947

General

Rights And Duties

In A Democracy

By LUTHER P. JACKSON

Pay The Poll Tax And Qualify To Vote Against It As Prerequisite For Voting

IN THE states of Arkansas, Texas, Mississippi, Alabama, and Virginia the press and numerous other agencies are now urging the people to pay the poll tax. They are calling upon all citizens to pay in 1947 in order that they may vote in 1948. These five states are among the seven poll tax states where the voter must pay the tax nine months or six months in advance in order to vote in the November election and in such other elections as may be held the following year. On the firing line in these states is the Negro press which is urging Negroes to qualify along with all other citizens. In this article I too wish to do some urging in order that here in Virginia we may have a share in choosing our public officials. The last day to pay the Virginia poll tax in order to vote without penalty is Friday, Dec. 5. Pay now, I say, and the amount is $1.50; pay later and the amount is $1.58. Although the difference is only eight cents, it is most urgent that all voters pay by Dec. 5 because in the cities of the state councilmanic elections will be held in June. These elections in June may create greater interest this time than the presidential election in November.

They may awaken greater interest for the reason that, according to information coming in by the grape vine, several Negroes of prominence will be running for membership on the city councils of Richmond, Danville, Norfolk, Petersburg and perhaps others. In Petersburg one man has already unofficially tossed his hat in the ring and he wants all qualified voters of the city to know it. He is pleading for a volume of poll tax paying such as the Cockade city has never known before.

In a poll tax state an election is frequently won or lost at the time of poll tax paying six or nine months ahead of the election. In Virginia among Negroes the average number who pay the fee is about ten per cent of the population of voting age. If. then, a candidate in certain counties or cities can extend the number to fifteen or twenty per cent, he is assured victory on election day, all other things of course being equal. Among these other things is to get the entire number to register, and then on election day to see that they all get to the polls. It was this sort of vigilance at every step of the way which put William A. Lawrence in office in Nansemond county.

The citizens of North Carolina, Florida, Georgia, and Louisiana need to consider themselves blessed, for with them they have only two campaigns to stage, while we in Virginia have three. They are concerned only with getting the many apathetic people to register and to show up at the polls on election day; we, on the other hand, must wage the poll tax battle in addition. In North Carolina, then, where according to reputation, race relations are the best in the South, the Negroes should outstrip those of every other state in the South and do it with ease. But, according to my calculation, North Carolina of the upper South is actually behind two or more states of the deep South.

From year to year the people of the poll tax states object to paying the levy in one particular year for the reason that no election is scheduled to be held the following year. Thus they can truthfully say that in so far as voting is concerned their money for that year is thrown away.

* * * *

But such will not be the case in the year 1948. In Virginia the payment of $1.50 will actually be a three-way payment. It will pay heavier dividends in 1948 than it has ever paid since this fee to the ballot box was enacted in 1902. Scheduled for 1948 are the two events mentioned above and another which will test the continuance of the poll tax itself. During the summer, or in November, according to whatever arrangement the legislature makes in January, the voters of the state will be given an opportunity to vote the poll tax question up or down. This act of a legislature setting aside a special day for the people to vote on one particular question is known as a "referendum."

Pay the $1.50 now, I say, in order to abolish the poll tax in order to vote for a colored candidate in certain cities of the state, and in order to cast a ballot for the Democratic or Republican candidate for the President of the United States. All told, the citizen this time will certainly get his money's worth.

The 1947 Poll Tax Show Is In a Familiar Routine

Courier-Journal Louisville, Ky.

THE lower house of Congress went through a show yesterday which, through repeated performances, has become as formal and precise as a ritual. By vote of more than 2½ to one it passed a bill to outlaw the poll tax as a condition for voting on federal officers. This is the third time in four years the action has been taken. Yet the poll tax still survives in seven Southern States, an effective instrument for disfranchisement of many Negroes and poor whites as well. Always a determined filibuster by Southern members has blocked the measure in the Senate.

Yesterday's action was in the accustomed pattern. Supporters of the bill, largely Republicans and a wide sprinkling of non-Southern Democrats, whooped it through. There was a kind of breathless and intent quality in their enthusiasm. They brooked no opposition, and Speaker MARTIN laid about him with a parliamentary bludgeon. You would have thought they were dedicated in their zeal. Tues. 7-22-47

On the other hand, no sooner was the bill called than the Southern Democrats caught their cue. They leaped to their battle posts as if automatically, armed with points of order and shouts of politics and unconstitutionality. They lost, as they knew they would lose, the rules of the House being against them, but the record is simply lovely for everybody concerned.

Of course, there is not the faintest chance that the Senate, up to its ears in unfinished business, will consider the bill before Congress adjourns this week end. This is another fact of which everybody was aware, even at the passionate height of theatricism. And the battling JOHN RANKIN and his followers doubtless were as confident as ever that now or later the bill would encounter the practised filibuster in the Senate, where there is no limitation of debate except on a two-thirds vote of the members.

For the public, which has seen the show before, an obvious question arises out of its experience. What, one wonders, happens to the Republican zeal between the time the poll tax bill leaves the House and the time it reaches the Senate? One recalls that when a vote is taken on limiting Senate debate (which, if carried, would mean final enactment of the bill), there are always enough Republicans siding with the solid Southerners against the proposition to make the filibuster successful. And there the matter ends.

By the House action yesterday, the bill becomes alive and ready for Senate action any time in the life of the 80th Congress. It will be interesting to watch and see if the show will be played out in the old routine. A filibuster works only because more than one-third of the Senate lets it work. 7-23-47

Tells Congress Poll Tax Aimed At Negro

Atlanta, Ga. Daily World

Sat. 7-12-47

WASHINGTON — (ANP) — Although his testimony was rudely interrupted several times during the anti-poll tax hearings last week Joan Locke Green was the most forceful and alert witness to take the stand.

Mr. Green, Republican treasurer of Arlington County, Va., pulled no punches in his charge that the poll tax in Virginia was adopted for no other reason than to prevent the Negro from voting, and that the educational clause was added as a means of permitting poor whites of that state to vote.

Reviewing the history of his state, Mr. Green said that Virginia was th elast state to be admitted to representation in congress in 1870. In 1867, he said the constitution of Virginia was adopted making a compact with the federal government that every male citizen of the U. S., 21 years old, meeting certain residential requirements, shall be entitled to vote. Virginia operated upon the authority of this constitution from 1867 to 1901, he declared.

He substantiated his argument on the purpose of the constitutional convention called in 1901 to change the franchise clause, upon excerpts from the minutes of that convention. Sat. 7-12-47

Quoting from a speech made upon the floor of this convention by Carter Glass as recorded in the minutes of the meeting, Mr. Green read:

EVIL PURPOSES

"The primary purpose of that convention was to abridge the right of popular suffrage and to eliminate every Negro of whom we could be rid without running counter to the prohibition of the federal constitution."

Mr. Green read from the minutes a quotation by Alfred P. Thom, "So in that high tribunal, it was said that, within the limitations of the federal constitution, it is permissible for this people to search for expedients to exclude the Negro race. If, then, a rigid examination permitted by the constituton excluded the Negro; then, in law, he is excluded by virtue of his failure to attain a certain standard, and not for the reason that he is a Negro. Sat. 7-12-47

". . . This is what is the meaning in the minority plan of his understanding clause—it means that the whole white voting population of the state of Virginia is to walk into this suffrage, either through the educational test or through the understanding clause; and my friends expect to go back to the constituents and to justiy their action towards the white illiterate voters of their counties and cities by the fact that they have provided this gateway to the suffrage for them through the understanding clause." Sat.

CITES OPPOSITION 7-12-47

Delegate Dunaway was reported as having said, "Sir, I am unalterably opposed to saying that the votes of 146,000 Negroes in Virginia shall determine the character of the organic law under which the white people of this state are to live

Delegate Glass said he would never vote to permit 146,000 illiterate blacks to pass upon the work of a body of Virginia gentlemen.

The minutes recorded many other such expressions made by the delegates of this convention which resulted in the disfranchise law of that state; around which many other states based their laws, according to Mr. Green.

Poll Tax Amendment Is Sought

Atlanta, Ga. Daily World

Thur. 7-10-47

WASHINGTON, D C.—(NNPA)—Representative Gerald Landis, Republican, of Indiana, a member of the House Administration subcommittee considering eight bills to outlaw the poll tax, last Monday introduced a joint resolution proposing a constitutional amendment to accomplish that purpose.

The Landis resolution would ban the requirement of payment of a poll tax as a prerequisite to voting in seven states which still have poll-tax laws. The proposed amendment would provide that "The right of citizens of the United States shall not be denied or abridged by the United States or any State on account of failure to pay poll tax." It would authorize Congress to pass appropriate legislation for its enforcement. Thur. 7-10-47

In order to become a part of the Federal Constitution the resolution must be approved by a two-thirds vote of the members of the House and Senate and be ratified by three-fourths of the States within seven years.

Poll Tax Ban Voted By House

Montgomery Advertiser

Montgomery, Ala.

Republicans Mow Down Threatened Filibuster; Make Plans For 1948

Vote 290 To 112

Tues. 7-22-47

Two-Thirds Majority Won As GOP Pulls Surprise On Pro-Tax Southerners

WASHINGTON, July 21.—(AP)—Smashing down an incipient filibuster, the House passed and sent to the Senate today an anti-poll tax bill.

The 290 to 112 vote that approved the legislation in a surprise maneuver engineered by the Republican leadership was 22 votes more than the two-thirds required for passage.

(A two thirds vote was required because the measure was called up for consideration out of the regular order of business.

The legislation, if approved by the Senate, would make it unlawful for any state or municipality to require payment of a poll tax as a prerequisite to voting in a primary or general election for presidential and vice-presidential electors and members of Congress. Tues. 7-22-47

Seven states—Virginia, Texas, Mississippi, Tennessee, South Carolina, Alabama, and Arkansas—now have poll tax laws.

There are no plans, though, for consideration of the bill in the Senate this session, for it is certain to run into a filibuster there as it has on several past occasions.

Backers Are Smart

The bill's backers said privately they want to get it out of the House this year so the Senate can take it up early in 1948, when a filibuster would have to run all year to be effective.

While Southern Democrats had expected the bill to be called up in the House sometime this week, they didn't expect it to be the first business on today's agenda.

They tried almost every known parliamentary maneuver to delay action, forcing two time-consuming roll-calls before Speaker Martin ruled that their tactics were "dilatory." He held that no motions would be considered until the bill was out of the way.

Spearheading the filibuster attempt were Reps. Rankin of Mississippi and Pickett of Texas.

States' Rights Involved

Rankin argued that the bill is an unconstitutional invasion of the right of states to determine the conduct of their elections.

Rep. Williams (D), Mississippi, called the bill "the biggest piece of political demagoguery ever perpetrated on the people of the United States," and Pickett accused Republicans of supporting it for "political reasons."

Williams speculated that Republicans were backing the bill in retaliation for the veto of their income tax reduction bill and to punish Democrats who voted to uphold the veto.

Republican Leader Halleck of Indiana denied any punitive motive was involved and reminded the House that it had passed similar bills before when Democrats were in control. Tues. 7-22-47

Rep. Bender (R), Ohio, author of the bill, said poll tax laws have been used to keep a large group of southerners from voting, in violation of the constitution. The Untied States, the Ohioan said, hardly can demand Democratic processes in other nations if it does not insist on Democratic elections within its own borders.

Voting for the bill were 216 Republicans, 73 Democrats and American-Laborite Marcantonio of New York. Against it were 98 Democrats and 14 Republicans.

WASHINGTON, July 21.—(AP)—In the vote by which the House today passed and sent to the Senate a bill to prohibit collection of a poll tax as a voting prerequisite in elections for federal offices, all the Alabama representatives were opposed. Those voting were Representatives Andrews, Battle, Boykin, Grant, Hobbs, Jarman, Jones, Manasco and Rains.

GOP Senators Claim Power To Break Any Poll-Tax Filibuster

Montgomery, Ala. Advertiser

Mon. 6-30-47

WASHINGTON, June 29.—(AP)—An officer of the national committee to abolish the poll tax asserted today that the Republican majority in the Senate, together

with Democrats who previously have opposed poll taxes, is strong enough "to break any filibuster that may be attempted" when the bill comes up.

Mrs. Sarah H. d'Avila, executive secretary of the committee, said "we expect them to use that strength" in a letter to Rep. Gamble (R), New York, chairman of the House subcommittee on elections which will start hearings Tuesday on anti-poll tax bills. Mon. 6-30-47

The House has passed anti-poll tax legislation three times in the past but further action was halted by Senate filibusters, organized by southern Democrats.

"Gains have been made each year," Mrs. d'Avila said, "as the people and their representatives in Congress have become more and more aware that the taxed vote in seven southern states is an issue for the whole country.

"The poll tax system, with disfranchisement for 10,000,000 citizens . . . makes mockery of our pretentions to democracy and to the right to dictate free elections in the far countries of the world.

"We congratulate you and the House leadership in announcing determination to pass an anti-poll tax bill in the House during this session."

House Votes to Ban Poll Tax '48 Filibuster Seen in Senate

PM New York, N.Y. Tues. 7-22-47

37e(1) 45

WASHINGTON

House Republican leaders, sidestepping filibuster threats by Southern Democrats, rammed through a bill to ban the poll tax as a prerequisite to voting in primary and general elections for Federal offices.

It was the fourth time in as many sessions that the House approved an anti-poll tax bill. In the past, the legislation has died in the Senate under threat of filibuster.

It'll Be Different, They Say Tues. 7-22-47

But this time, backers of the measure said privately, it will be different. They don't expect the Senate to act before adjournment. They are maneuvering to get the bill before the Senate early in 1948 when a filibuster would have to run all year to be effective.

Enactment of the measure would give some 10,000,000 U. S. citizens in seven Southern States—Virginia, Texas, Mississippi, Tennessee, South Carolina, Alabama and Arkansas—the right to vote, now denied by State laws which would remain in effect only so far as State and local elections are concerned.

Poll-taxers were taken by surprise when Rep. Ralph A. Gamble (R., N. Y.) moved to suspend the rules and bring the bill, written by Rep. George H. Bender (R., O.) to the floor. Tues.

Their Tactics Didn't Work 7-22-47

Reps. John E. Rankin (D., Miss.) and Tom Pickett (D., Tex.) immediately launched into filibustering tactics. They proposed to adjourn, demanded quorum calls and offered other delaying motions—until Speaker Joseph W. Martin (R., Mass.) invoked his rarely-used power to rule that their proceedings were "dilatory" and order an immediate vote.

Suspension of rules requires a two-thirds majority for passage of a bill. The anti-poll tax bill was passed by 290 to 112, which is 22 more than two-thirds.

Although the action represented House fulfillment of a GOP campaign pledge, 73 Democrats and Vito Marcantonio (ALP, N. Y.) went along with 216 Republicans. Opposed were 14 Republicans and 98 Democrats. Tues. 7-22-47

THE POLL TAX BILL

This session of the Legislature has presumably reached the half-way mark, one token of this being that a poll tax modification bill is to be considered today. It traditionally comes up at this time.

It is substantially the same bill as that rejected in the Dixon and Sparks Legislatures. It provides for modification of the cumulative tax feature. A voter in arrears on his poll tax payment would have to pay only two years back tax ($3) to qualify.

The bill was summarily killed by the Dixon Legislature. It was smothered by the Sparks Legislature. Wed. 7-23-47

Possibly the Howell bill will be dispatched long before it reaches the Governor's desk.

But it should pass. Wed. 7-23-47

The Advertiser has for some time been on record in favor of poll tax eradication. There is no point in rehearsing the points of The Advertiser's case here at length.

But here are two points which the Legislature will do well to consider.

The first of these points is that the poll tax is not the important check on Negro voting. Far from it. The primary check lies in the function of the county boards of registrars. It is these boards that qualify or disqualify an Alabamian to vote.

The second point is a new one. Advocates of the poll tax often assert: "The tax is only $1.50, and anybody that doesn't think enough of his vote to pay $1.50 doesn't deserve to vote." Montgomery, Ala. Advertiser

That is not true if one is to reason from the facts of experience with returning war veterans. War veterans are privileged to qualify without payment of the poll tax. The tremendous proportion of veteran registration in the wake of demobilization is virtually proof positive that registration of qualified voters is undermined by the necessity of paying poll tax.

The proportion of veteran registration in every county is well known to members of the Legislature.

There is, of course, no way to make an accurate estimate of how many of these veterans would have failed to qualify if they had had to pay $1.50 for each year of army service, and perhaps some before that, but there can be no doubt that a very important percentage would not have qualified.

If this is true of veterans, it is most certainly true of thousands of other white Alabamians. Many of them would have to pay $36 to vote. Wed. 7-23-47

It is unfair to shrug this class of unqualified Alabama voter off with the assertion, "He just didn't think enough of his vote to pay his poll tax each year."

The fallacy of that explanation is forthwith recognized when you consider the intervention of the depression. In the years of the depression $1.50, for example, was a wad of money to those in Birmingham who were reduced to seeking food in garbage pails and taking the milk from a neighbor's front porch. A great many substantial citizens, who have long since hit the road back, got behind through such causes and have never felt moved to pay up the cumulative poll tax arrears.

What a rate of interest!—$1.50 on $1.50.

A great many solid citizens would requalify if the Howell bill and its $3 forgiveness provision became law.

The rest of the country appears to get along very nicely without a poll tax. Only seven states now have a poll tax law at all.

The Dothan Eagle, an advocate of repeal, has suggested:

Since it is apparent that poll taxes will not be eliminated altogether—for the time being at least—a compromise appears to be in order between repeal advocates and opponents of repeal. Such a compromise is this proposal to limit back due taxes to $3, or two years.

In that we concur.

poll tax persists have written this requirement into their constitutions, and only legislative amendment, plus ratification by their own electorate, could abolish it. These states include Arkansas, Mississippi, South Carolina, Texas, Tennessee and Virginia.

U.S. Action Would Alter Southern Elections

ATLANTA, July 24 — (AP) — The Congress of the United States may outlaw poll taxes eventually may outlaw poll taxes as a requirement for voting in congressional and presidential elections, but the South's poll tax states appear likely to retain it in state elections. Six of the seven states where the

SOUTHERNERS STALL BILL TO OUTLAW POLLTAX

Daily Worker New York, N.Y.

Wed. 7-2-47

Daily Worker Washington Bureau

WASHINGTON, July 1.—Hearings on eight bills to outlaw the polltax got under way today, and Southern Democrats immediately launched a campaign to prevent action by this session of Congress. With Congress slated to adjourn July 26, time appeared to be in favor of the minority.

Rep. Burr Harrison (D-Va) sought to transfer the issue from the House Administration Committee to the Judiciary Committee.

Asked by subcommittee chairman Ralph Gamble (R-NY) if he wanted a recess, Harrison replied:

"I have no objection to recessing for two or three years."

Rep. George Bender (R-O), John Green, treasurer of Arlington County, Va., and Sylvia Wubnig, legislative representative of the League of Women Shoppers, testified for the bill.

"After a half century of free manhood suffrage, the polltax was resurrected and was re-established by fraud and trickery in the 1890's and 1900's," Bender charged, "for the express purpose of disfranchising the great majority of people." Wed. 7-2-47

Tracing the history of the polltax, he cited election statistics showing that only 10 percent of the people in polltax states vote.

He noted the U.S. does not hesitate to interfere in the internal affairs of other nations but that anti-polltax legislation is opposed on grounds it interferes with "state's rights."

RALPH McGILL

The Atlanta Constitution 37e(1)

Coming Events, Atlanta, Ga. And Shadows

7-31-47

In the last days of its session, the Republican-dominated House pushed through a Federal anti-poll tax measure.

It was a gesture.

Yet, it was a shadow of a coming event.

It will go to a Republican Senate in January.

Grave doubt, which I share, exists as to the constitutionality of the anti-poll tax measure.

Yet, nowhere will thoughtful persons have any doubt but that the poll tax and any subterfuge limits the franchise. Educational qualifications, if properly defined and used without abuse, are proper. But there can be no doubt but that the poll tax and the one-party system are iniquitious in their effect on government.

This would apply to local and national government.

It amounts, in a sense, to a monopoly and a monopoly drifts into abuses and into ignoring the general welfare and well-being.

Reconstruction I use this, however, to introduce the idea that we in the South are in for a period of reconstruction—1948 style.

There will be three bills passed by the 1948 Congress which will be aimed at the South with the indirect purpose of winning votes in the industrial key States of the East.

They will be the anti-lynching bill, the FEPC (Fair Employment Practices Committee), and the anti-poll tax measure.

Added to them, in all likelihood, will be other measures affecting what we have come to call "States' rights."

One may see all this in the making.

The Chicago Tribune is arguing that so long as the one-party white primary laws are in force, the Congress ought to carry out the provision of the Constitution of the United States which bases representation in Congress on the registered population. In other words, if the Southern States with such laws do not allow the Negro to be a citizen, then that State's representation in the Congress should be reduced proportionately. I do not believe such a bill will be passed, but conceivably it could be. It would drastically reduce Georgia's number of Congressmen.

Tenure Republican leaders, some of them, are at the boiling point over the fact that the narrow basis of suffrage existing in the South gives to Southern representation in the Congress an influence far out of proportion to that exerted by any other region.

Southern Congressmen and Senators remain in office a long time, there being no opposition party. Under the system of seniority, they assume control of the most important chairmanships when the Democratic party is in power. The fact of their long experience in Congress also tends to make them more effective in handling legislation. They are, if they make half an effort, better informed about legislation than are others.

All of this has brought some of the Republicans to the state of giving off eruptions at increasingly frequent intervals.

Future I put this down, not in argument, but merely to call attention to these facts which project themselves as shadows of coming events.

The struggle in the Republican party with regard to the South is for convention delegates only. There is no intention of setting up an active State-wide party with candidates offered for Legislature, Governor and other Statehouse officials.

Most of the Southern Republicans long have been in the Taft camps, of both father and son. Many of them advise against, and would be embarrassed by, an active party in the South.

So, there will be no inclination on the part of the Republican majority in the Congress to pay any attention to what the South wants or thinks.

The future doesn't look too happy.

Interference There is just one way for the South to avoid, or avert, Federal interference.

That is to act on their own initiative.

We have done a fine job in preventing most of the lynchings that have been attempted this year. Both Georgia and Alabama have offered splendid examples of forthright action.

But we actually refuse to assist in running down the guilty in the Walton County case where three persons, two of them women, not even remotely connected with a stabbing, were brutally murdered. Not only that, but we show our resentment of FBI intervention.

We have made great progress in the race relationships in the South, yet we indulge in the sophistry that because some of our people don't approve, we can prevent the exercise of citizenship.

Let us realize we can't have a Southern boom unless we allow the Negro to have employment so that he may pay his own way and trade in our business centers and buy the goods produced by our factories.

Let us quit deluding ourselves with the idea that this is a social equality program when it is a coldly practical one.

If we don't clean our own house, it is going to get cleaned in a manner we don't like.

That little House vote on the anti-poll tax bill was just the beginning.

WILLIAM H. FIELDS

Constitution Atlanta, Ga. Edition

Republicans and the Anti-Poll Tax Bill

Jun. 7-27-47

When the Republicans pushed the anti-poll tax bill through the House the other day they knew there was only one chance in a thousand the Senate might act on it at this session. That chance, of course, failed, and Congress adjourned without Senate action on the bill.

The 290-to-112 vote rolled up was purely a political demonstration to help their own candidates in the next election. It also was a sort of reprisal against Southern Democrats for failing to help sufficiently to enable one of the President's two vetoes of the tax reduction bill to be overridden.

It will be remember that one Republican leader, some time after the first veto was sustained, promised the anti-poll tax bill would be revived. And if Congress had failed to override the labor bill veto, he declared, the GOP would have brought out the FEPC bill also.

Many Republicans seem to have developed a strange idea that Southern Democrats are beholden to them. They accept with alacrity the support of Congressmen from this region but never seem to feel that co-operation is a two-way street.

Dead Here As far as Georgia is concerned the poll tax issue is dead, but seven other Southern States still collect the levy and Southerners usually vote solidly against any move to outlaw the tax by Federal measures.

Many Southerners who are opposed to the poll tax in principle also are opposed to Federal legislation abolishing it as an unwarranted invasion of States' rights. They deem such legislation unconstitutional. The New York Times took note of this attitude in an editorial the other day, but asked if these Southerners so firmly believe the anti-poll tax law unconstitutional, why then do they go to such great lengths to defeat the bill in Congress?

The answer is that they do not feel the U. S. Supreme Court can be depended upon to hand down a ruling based solely on constitutional provisions. The Court has not yet dispelled the feeling that social aims have great weight in its decisions.

Jun. 7-27-47

Right About the worst that can be said of the poll tax is that it is a nuisance. About the best is that it does provide an effective means of checking up on the legitimate residence and other qualifications of registered voters, as well as a small amount of revenue.

But most Southerners prefer to believe that the poll tax should be left to individual States. The Constitution early contemplated that the States would establish their own suffrage requirements and, strangely, no other qualifications have been challenged in recent years.

New York, for instance, now has on its statute books a law which, if widely used, would be far more stringent than any poll tax. It provides for tests to assure that qualified voters possess the intelligence of a normal 10-year-old youth.

After the Revolution all States adopted the poll tax or the property qualification for voters. New Hampshire, Pennsylvania and Georgia had the poll tax. New York required property to the value of 100 pounds in order to vote for State Senators. Four States had religious qualifications and Massachusetts barred anyone from the polls who was not a Christian.

7-23-47

Washington And Montgomery

The fact that the House of Representatives, by better than a two-thirds vote, made a special order of business of an anti-poll-tax bill and then jammed the legislation through has an unmistakable meaning for all Southern states which still use the poll tax as a suffrage restriction. What happened Monday has happened before. This time the Republicans wanted to make the showing for political effect. But on other occasions the Democrats were in control when the same effort was made to get rid of the poll tax. The drive was frustrated in the Senate by Southerners who resorted to the filibuster. The day may come when this defense will not work. Responding to majority sentiment in the country, Congress may erase the poll tax. No gift of prophecy is required to foresee that event. Birm., Ala. News

It is that consideration which makes it highly desirable that our own General Assembly act favorably on a constitutional amendment which at least rids Alabama's poll tax requirement of its cumulative feature. Even conservative Alabamians now concede the wisdom of such a course. When Chauncey Sparks was governor, he urged it on an unheeding Legislature. To make this change would be salutary not only for obvious reasons, but for the further reason that it would prove that we are aware of a reform which American public opinion demands. We must not forget that in Alabama we are, as it were, out-Heroding Herod. Our poll tax law, by requiring the payment of arrears, goes beyond the statutes on the subject in other states.

The House constitution and elections committee is to hold an open hearing next week on a proposal to reduce this "back pay" to two years. It is to be hoped that Alabamians who have been urging this change will be on hand to back their convictions. It is highly desirable that the state break through the inertia which has kept it from doing what is so commonly regarded as reasonable. We owe that much to our own sense of fitness and right. Wed. 7-23-47

NATION'S CAPITAL
- By - Louis Lautier For the NNPA
Poll Tax Defined By Congressman As A Restriction On Voting As It Involves No Question Of Comprehension Or Capacity By The Voter

Norfolk, Va. Sat-7-19-47

WASHINGTON, D. C.—Representative Everett M. Dirksen, Republican, of Illinois, gave the House Administration subcommittee holding hearings on anti-poll tax legislation a simplified lesson in constitutional law. Before Mr. Dirksen's appearance before the subcommittee, Representative Tom Pickett, Democrat, of Texas, a poll-tax state, grilled witnesses on the constutionality of the proposed legislation, even though the witnesses may not have been lawyers, and Representative Burr P. Harrison, Democrat, of Virginia, another poll-taxer, attempted to cross examine witnesses on the extent to which they thought Congress had authority to go in abolishing qualifications for voting in federal elections

But when Mr. Dirksen appeared before the subcommittee, Mr. Pickett, a former Texas district attorney, was most respectful of his colleague, and Mr. Harrison was no match for Mr. Dirksen.

In effect, Mr. Dirksen defined "qualifications" as competency or capacity and listed as proper qualifications for voting citizenship, age, residence, and literacy. He defined the poll tax as a restriction inasmuch as it involves no question of comprehension or capacity.

Applying Mr. Dirksen's definition, it is interesting to note the extent to which the poll tax has restricted voting.

Mr. Pickett comes from the seventh Congressional district of Texas which has a population of 299,721 in its twelve counties, according to the 1940 census. In the 1942 election 11,043 votes were cast for him and ninety-six for his Republican opponent; in the 1944 election, in which President Roosevelt was running for reelection, 32,850 votes were cast for Mr. Pickett and 1,328 for his Republican opponent, and in the 1946 election 14,810 votes were cast for him and one for an opponent.

Sat-7-19-4

Representative Gerald W. Landis, Republican, also a member of the House Administration anti-poll tax subcommittee, comes from the seventh Congressional district of Indiana, a non-poll tax state. His district had a population of 285,772 in its eleven counties, according to the 1940 census. In the 1942 election 60,044 votes were cast for him and 52,386 for his Democratic opponent; in the 1944 election 73,417 votes were cast for him and 62,136 for his Democratic opponent, and in the 1946 election 63,667 votes were cast for him and 59,908 were cast for his Democratic opponent.

Actually, 125,661 votes were cast for all candidates in the Congressional election of 1946 in the seventh Indiana district in contrast with 14,811 in the seventh Texas district, although the latter district has a population of 13,949 in excess of that in the seventh Indiana district.

Mr. Harrison comes from the seventh Congressional district of Virginia which had a population of 259,048 in its thirteen counties, according to the 1940 census. He was elected to Congress in the 1946 election, in which 19,535 votes were cast for him and 11,813 for his Republican opponent.

Representative William C. Cole, Republican, another subcommittee member, comes from the third Congressional district of Missouri, another non-poll tax state, although Mr. Cole himself voted against the Marcantonio anti-poll tax bill in the Seventy-ninth Congress and apparently has taken a run out on his Republican colleagues on the House Administration anti-poll tax subcommittee this year.

Sat-7-19-47

In the same election, in which a total of 31,348 votes were cast for all Congressional candidates in the seventh Virginia district in 1946, a total of 73,558 were cast in the third Missouri district, which had a population of 291,744 in its fourteen counties, according to the 1940 census. In other words, although the third Missouri district had only 42,696 more people than the seventh Virginia district, more than twice as many votes were cast in it as were cast in the latter district.

* * * *

Florida is a southern state but it has no poll-tax law. To determine whether Mr. Dirksen was right in maintaining that the poll tax is a restriction on voting and not a qualification for voting, a fair comparsion would be one southern non-poll tax state against one southern poll-tax state, or Congressional districts in such states.

Representative George A. Smathers, Democrat, comes from the fourth Congressional district of Florida. He also is a member of the House Administration anti-poll tax subcommittee. In the 1946 election, in which he was elected to Congress 37,002 votes were cast for him and 4,458 for his Republican opponent. Sat-7-19-4

The fourth Florida Congressional district had a population of 286,919 in its three counties, according to the 1940 census, but it cast a total of 51,460 votes in the 1946 Congressional election, which was 36,649 more than were cast in the same election in Mr. Pickett's district and 20,112 more votes than were cast in the same election in Mr. Harrison's district.

WEEK BY WEEK

By SCOTT PRIDE

Fri. 8-1-47

ANTI-POLL TAX

St. Louis Argus

EVIDENTLY we can't have new congress without new attempts to forbid states to make payment of a poll tax a requirement for voting in national elections. Georgia abandoned its poll tax requirement in 1945; seven other Southern states still utilize it. St. Louis, Mo.

The House Administration Committee plans to open hearings soon on anti-poll tax legislation, although a definite date is yet to be set. If Southern Democrats object: "That's a fine way to treat us after so many of us worked with you on the Labor-Management bill! the Republican can retort: "Yes, but so many of you worked against us on the tax reduction bill."

In 1942, again in 1944, and still again in 1945, the House passed anti-poll tax bills, with the Southern Democrats unable to prevent passage. But in the Senate the rules allow unlimited debate unless cloture is applied by a two-thirds vote. In 1942 and 1944 the anti-poll tax bills were killed in the Senate by a Southern filibuster; in 1946 the bill passed by the House in 1945 was abandoned after a motion for cloture, presented as soon as the bill came up, was defeated.

Supporters of the legislation have a hard time getting around the Constitutional provision whereby the voting qualifications in each state are to be those fixed by the state itself for the lower branch of its legislature. However, the Soldiers Vote Act of 1944 forbade any state to require poll-tax payment for voting by its citizens in the armed forces, and the Southerners did not protest this provision as unconstitutional when the 1944 act was before Congress.

Old Dies Committee

When Henry A. Wallace spoke in Washington in middle June, "observers" of the un-American Activities Committe were on deck. On the preceding day the Committee had released a report on the Southern Conference for Human Welfare, under whose auspices the former Vice President spoke. The report called the Conference a Communist-front organization.

Wallace charged that the Committee wanted to intimidate Government employees who would otherwise come to hear what he had to say, and to prejudice the American people against him. Chairman Thomas (R., N. J.) retorted that the Comittee had no motive except to uncover subversive influences. When Thomas took over the chairmanship in January, he promised that partisanship would have no place in the future activities of the Committee.

The Committee was set up away back in 1938. In October of that year, it heard witnesses who charged that Frank Murphy, now on the U. S. Supreme Court, was getting Communist support in his campaign for re-election as Governor of Michigan. Other witnesses made similar charges about Culbert L. Olson, running for Governor of California. Both candidates were New Deal Democrats. Thu. 8-1-47

Active Body

Thereupon, President Roosevelt said he believed that the un-American Activities Comhad "permitted itself to be used in a flagrantly unfair and un-American (sic) attempt to influence an election." Murphy was defeated, Olson was elected.

The Committee is having a busy time of it. Late in June it opened hearings on Communist influence in trade unions. The date (June 23) was originally set for further hearings on subversive influences in Hollywood, but these have been postponed to September.

Whether or not cause and effect, the Committee decided on postponement after former secretary of State James F. Byrnes had been retained by the motion picture industry to help protest what it called the "freedom of the screen."

Anti-Poll Tax Bill Passes House, 290-112

Pittsburgh Pa. 3920

The Pittsburgh Courier

Sat-7-26-47

By LEM GRAVES Jr.

(Pittsburgh Courier Press Service)

WASHINGTON—The Republican majority of the House of Representatives passed the Bender Anti-Poll Tax Bill, HR-29, by a 290 to 112 vote Monday afternoon at 1 o'clock.

The bill was brought up suddenly on the consent calendar Monday morning. Forty minutes of debate was allowed before the roll call vote.

Leading proponents of the bill in debate were Representative Ralph A. Gamble, Republican, New York, chairman of the House Administration Subcommittee which conducted hearings on the bill, and Representative Carl LeCompt, Republican of Iowa. Sat, 7-26-47

The bill was introduced by Representative George Bender, Republican, Ohio.

Opposition to the bill on the floor of the House was spearheaded by Representative John Rankin, Democrat of Mississippi, and Representative Tom Pickett, Democrat of Texas, who bitterly fought the measure as a member of the subcommittee which conducted hearings.

Georgia May Follow Carolina, Alabama Lead On Voting

Sun. J. 3, 1947
Montgomery Ala.

ATLANTA, Aug. 2.—(AP)—Gov. M. E. Thompson rejected today a proposal for an extraordinary session of the Legislature to enact educational requirements for voters, and Speaker Fred Hand of the Georgia House of Representatives immediately announced he would ask the assembly to convene itself.

Thompson, in a letter to Speaker Hand, said adherents of the late Eugene Talmadge had killed similar legislation, aimed at excluding unqualified voters, and said:

"I can see no reason for wasting the taxpayers' money for the purpose of letting the Legislature again vote against this kind of bill." Advertiser

In Pelham, Ga., Speaker Hand said he would begin Monday to circulate members of the House and Senate for "expressions on the advisability of holding a special session" to bar Negro voting.

"If the reaction is encouraging," said Hand, "we will go further."

Three-fifths of the membership of each branch must vote affirmatively in order to convene the Legislature without call by the governor. The assembly may consider any subject, but is limited to 30 days' duration. Since Thompson adherents number a little less than one-half the total membership, it appeared likely that he could block a self-convened session.

Hand said he advocated a constitutional amendment setting up qualifications which would exclude uneducated voters, both white and Negro. He added he had left the wording open, "because I was willing for Mr. Thompson, himself, to draw the qualifications."

"I think," he continued, "we should convene, draw up a fair bill, and submit it to the people in the next (1948) general election." Sun. J. 3, 47

First reaction to Hand's suggestion for an extra session came from Representative Julian Bennett of Barrow, a Talmadge stalwart. He said:

"In view of the recent lower Federal court ruling in South Carolina, relative to the white primary, it is now imperative that the general assembly of Georgia convene itself in extraordinary session to enact such qualification laws as are necessary. . . . to protect ourselves from outside domination by Communist and other left-wing groups."

Representative Williams Morris of Richmond, Senator R. G. Daniell of Metter, and other Thompson leaders offered legislation last Winter which would have (1) set up educational requirements administered by the State Department of Education, and (2) provided segregated polling booths for whites and Negroes.

Both were rejected first in the House and later in the Senate, by majorities led by the Talmadge faction.

At that time the Legislature had enacted a "White Primary" bill sponsored by Governor-Claimant Herman Talmadge. This repealed all State laws governing primaries, and made them "club" affairs controlled solely by political parties. The bill was signed by Talmadge but was vetoed by Thompson after the Georgia Supreme Court declared him rightful governor.

The prototype of this legislation since has been declared unconstitutional by a Federal court in South Carolina.

Gov. Thompson charged in his letter to Hand that the idea of an extra session was evolved by Talmadge forces, and declared: "I will not sit silently by and become a victim of your strategy."

In Pelham, Speaker Hand exclaimed: "Poppycock! The letter (suggesting the special session) was written on my own initiative, without consulting anybody."

Surprise Move Beats Southern Democrat Bloc

Chicago Defender
Chicago, Ill.
Sat. 1-26-47

Rules Suspended As GOP Leaders Push Bill's 5th Passage

WASHINGTON — In an unexpected move Monday the House of Representatives passed the anti-poll tax bill by a vote of 290 to 111 despite the solid opposition of southern Democrats. This marks the fifth time the House has passed an anti-poll tax measure.

The bill was brought to the floor after Rep. Ralph Gamble (N. Y., R.), called for a suspension of the rules and won a favorable vote as Southern Democrats sought desperately to delay consideration of the measure. Sat. 1-26-47

Under the rule the Speaker of the House gave 40 minutes for the discussion of the measure with the time equally divided between the opponents and proponents of the legislation. Congressman Tom Pickett of Texas managed the debate for the opposition and employed frequent delaying action technique including motion to adjourn and continuous requests for roll call, all aimed at forestalling a vote on the bill.

Rep. Gamble, GOP stalwart, managed the debate for the supporters of the measure. He refused to give democrat proponents any time to speak in support of the bill although Reps. William L. Dawson (D., Ill.), Helen G. Douglas (D. Cal.), and Vito Marcantino (ALP, N.Y.), requested time to be heard.

Jackson, Miss. News
February 1, 1947

Negroes In Jones Stage Rush To Pay Their Poll Taxes

LAUREL—(Special)— An unusually large number of colored Jones county residents staged a last minute rush at the courthouse and paid their poll taxes, it was revealed by deputies, who said the exact total was undetermined.

About 70 were issued in one day to colored people who had never paid their poll tax in prior years. A city hall spokesman said a colored person told him "six hundred of us have paid poll tax, and now we want our streets fixed."

Deputies said an exact total registrations would be impossible to compile as all of the receipts were not marked "colored." In some cases one person would pay poll tax for five or six persons, giving only the names, and not the race.

Earlier in the month, little increase had been noted in poll tax payment by colored residents, deputies said, but they were swamped in the last minute rush.

Negroes In Mississippi Flock To Pay Poll Tax

JACKSON, Miss., Jan. 30—(AP)—Chief Deputy Sheriff Albert Jones reports that Negroes in Jackson and Hinds County are paying the poll tax in greater numbers at present than ever before.

Although the poll tax payment is the first requisite for voting, there is a second vital step—registration.

Jones estimated that approximately one-fourth of the 12,000 persons who paid the 1946 poll tax are Negroes.

The chief deputy's comment came after The Jackson Daily News said in a front page editorial "white supremacy is imperiled."

"There are a lot more of them (Negroes) this year than before," office has been thronged with Negroes. They frequently arrive in groups of from a dozen to forty, under command of Negro leaders. They usually go immediately from the poll tax windows to the Sheriff's office to apply for registration. In a majority of cases, they succeeded in passing the severe questioning of the registrar.

In hundreds of instances, the new registrants are Negro war veterans who, under a law passed by the 1946 Legislature, were not required to pay poll taxes last year. By paying the poll tax this year they can qualify for participation in the Democratic State primaries to be held this summer, in which more than 2,000 district, county and State officers, as well as a new Legislature and Governor, will be chosen.

County registrars say that a surprisingly large number of young Negroes easily pass the questions fired at them concerning the State and Federal Constitutions.

Behind that fact is an interesting story. Unknown to Democratic white politicians in the State, Negro teachers, for more than a dozen years, have been training school children to recite both Constitutions in a parrot-like fashion until they are letter perfect.

The deadline for payment of poll taxes is tonight, and it will not be known for several days how many Negroes have taken this first step to qualify for suffrage, but some estimates put it as high as 40,000.

Not all can become fully qualified this year, except in the case of war veterans, since the primary election law requires that two poll tax receipts be exhibited at the voting precinct.

While the number of new Negro voters who will take part in the primaries is not sufficiently large to put "white supremacy" in peril this year, politicians say that it is conceivable that in cases where contests are close, Negro voters could hold the balance of power and become an important factor in the results.

Whether Mississippi will follow the example of South Carolina and Georgia and revise election laws this year has not been decided. Gov. Fielding Wright has not made up his mind whether to call a special legislative session for that purpose. He has requested county registrars to send statistics on the new registration to his office as quickly as possible.

MISSISSIPPI SEES NEGRO VOTES RISE

Large Numbers Are Paying Poll Tax and Easily Passing Test for Registration

Special to The New York Times.

JACKSON, Miss., Feb. 1—State Democratic leaders are reputed to be alarmed over the large number of Negroes who have paid poll taxes and have registered to vote.

For the last two weeks in Jackson, the county tax collector's

MISSISSIPPI NEGRO GUIDED BY EX-GI'S

Veterans Lead Drive for Poll-Tax Payments to Allow Voting

—Educational Aid Sought

By JOHN N. POPHAM

Special to The New York Times.

JACKSON, Miss., Feb. 7—The impact of the war on the social life of this capital city and the question of increased aid for Negro education appear to be the principal factors in recent Negro efforts toward greater participation in the political life of this State.

Attracting thousands of workers from all over the State during the war years, and offering the major recreational outlet for military personnel stationed near-by, Jackson saw an exchange of philosophies ranging from the cracker-barrel to the classical which resulted in a cleavage on strict social lines without precedent in this region.

A local writer stressed, in conversation, the effect of the wartime co-mingling of native Mississippians and outsiders.

"They poured in here by the hundreds, from the Delta country and the backlands," he said. "They danced and drank and talked with aviators who had been everywhere. The socially ambitious were soon guests in the mansions of the elite. The remnants of the Royal Dutch Air Force were trained here. Views of Erasmus and the country school teacher were exchanged. It will never be quite the same. Changes are under way."

Negro GI's Are Active

Two Negro war veterans, one a first lieutenant and the other a master sergeant, indicated that the same rubbing of elbows with outsiders had instilled in them moral support for their efforts to get the Negro veterans to pay poll taxes and register.

Leaders of the local chapter of the American Veterans' Committee—an all-Negro unit with 417 members—the two former soldiers said that 95 per cent of the membership had paid poll taxes and registered to vote in the Democratic primaries this summer.

They said that they felt they had been markedly successful in getting other Negroes to pay last year's poll taxes in preparation for payment of the poll tax due in January, 1948, so that thereby they could be eligible under Mississippi laws to register for the 1948 general election.

"We put placards in shop windows," the former lieutenant said, "urging Negroes to register. Some policemen took them out of the windows on three occasions, but the Mayor supported us and ordered them to leave us alone.

"There was a steady effort to humiliate our people at the clerk's office and many of them were deliberately confused, but we instructed them on their rights and kept sending them back. We've been around and we didn't get mad or frightened. We were patient. A lot of nasty remarks they made to us were downright childish."

Educational Drive Stressed

The two AVC heads joined with other Negro leaders in support of the premise of both white liberals and reactionaries that the Negro must improve his education to hope for any success in his fight to be eccepted at the polls in this State. A Negro journalist, regarded by local whites as "too leftish," said that he could "appreciate" the proferred Thompson compromise measure in Georgia which would require voters without high-school diplomas to submit to educational tests.

"Our people need more education and the liberal whites, though few in number, are helping us to get it," a Negro educator said. "Our appropriations are greater than ever before. The education we have fought to give our people is largely responsible for any advances we have made in the face of reaction."

The white citizens here, liberal and reactionary, agree generally on the need for increased Negro education; the reactionary because it is tied to his argument that the Negro is not capable of "intelligent voting" for years to come; the liberal because he feels he can win over the reactionary when Negroes themselves impress the reactionary white with mental alertness.

A Catholic leader in this city, which has about 3,000 Catholics in a total population of 100,000, told a story of non-Catholic support of a proposed Catholic hospital as an illustration of his belief that the Negro would solve his problems here through the support of "understanding and cultured whites." Thirty-four non-Catholic men, he said, pooled $25,000 to aid in construction of the hospital.

"The Catholics are a minority group and yet the educated people here have shown great understanding," he said. "The treatment of the Negro has bettered. It will work itself out through the good white people. Distorted outside influence is dangerous. Mississippians won't take it. The cultured ones will solve the problem."

37e(1) 1947

The South

Raps Three-Time Killing Of Tax Measures

37e(1)

NEW ORLEANS— (ANP)—More white people than Negroes have been disfranchised by pole tax laws in the south, according to a statement made by Mrs. Edmonie W. Grant, acting administrator of the Southern Conference for human welfare here last week.

"In the most recent federal election, it is reliable estimated that 10,000,000 southerners 7,000,000 white and 3,000,000 Negro— were deprived of the opportunity of voting because of their inability to pay poll tax."

Poll Tax laws were passed at the beginning of the century for the purpose of breaking up the Populist movement. Advocates of the bill said at the time that it would prevent Negroes from voting.

"As the laws have worked out, however, more white people than Negroes have been disfranchised by them," she asserted.

SEEK FED. ACTION

"The only way that this undemocratic tax on voting can be repealed is by the federal government." wed - 7-30-47

She pointed out that seven states will have poll tax as a prerequisite for voting. In Alabama, the tax is cumulative to the point that a person 45 years old may have to pay as much as $36 in order to vote.

"Since the seven states that continue the practice have the poll tax incorporated in their state constitutions it can only be abolished by the small minority who have paid the tax, she asserted.

She declared that congress has another opportunity to do away with the poll tax evil, since the house of representatives voted recently to outlaw the tax on voting by states. The first federal anti-poll tax bill was introduced into congress in 1939 at the request of the conference but for three consecutive times it was filibustered to death in the senate.

37e(1) 1947

South Carolina

Vote—Yes, to Be Sure

News & Courier Charleston SC

37e(1) 1-8

Among imaginations vain of negro politicians and newspapers is that abolition of poll tax payment as a qualification for voting would enable and cause negroes to go to the polls and vote. The contention that it would is silly. Poll taxes have little or nothing to do with the absence of negroes from the polls on election day. The News and Courier insists that qualified negroes have a right to vote in legal elections and that in voting they have the protection of the law and the law officers. So it has long insisted. In South Carolina women are exempt from poll tax payments and 150,000 negro men could pay in these times, a $10 instead of a $1 poll tax.

Wed - 7-30-47

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 102

37e(1) 1947

Virginia

...groes Lead ...gistration ...r Monday

...me Illiterates Seek Return of Tax

37e(1) Va.

About 40 persons, most of them Negroes, registered to vote yesterday, said City Registrar Davis. The number was quite a drop from last Friday, the last day his office was open, when 287 registered.

Several Negroes who paid poll taxes last week were unable to register because they could not read and write, Mr. Davis said, and some of those who were not permitted to register tried to get their poll tax money back. The exact number in either case was not available.

City Treasurer Hulce said a woman who asked for her money back yesterday thought she was entitled to it because she was not allowed to register. She paid poll taxes last Friday, he said.

Money Turned In

"I couldn't give her money back if I wanted to because I don't have it," Mr. Hulce said. "As fast as we collect money we turn it in. Anyhow, payment of taxes has nothing to do with the case. Just because a person can't vote doesn't mean that he's exempt from payment of taxes."

At the office of Mr. Davis it was said that the 928 Negroes who registered last week listed a variety of occupations. One woman listed herself as a relief case. Some organization apparently backed the registration of pants pressers, it was said at Mr. Davis' office, for they registered in large numbers.

Climaxing a campaign by the Richmond branch of the National Association for the Advancement of Colored People, 928 Negroes registered last week. During the same period 408 whites registered.

Seek Assembly Seat

Rev. D. J. Bradford, chairman of the supervisory committee that waged the campaign, said yesterday that the proposed change in the form of the city government was not connected with the drive. He said the Negroes who registered want to elect Oliver W. Hill, a Negro lawyer, to the General Assembly and added that his committee was aided in its drive by the recent Westwood Village utilities controversy.

The deadline for payment of poll taxes in order to be eligible to vote in the August primary and the November general election was passed Saturday. The registration books will be open, however, through July 3 for persons who have paid their poll taxes and who want to vote in the primary.

—Staff Photo

New Voters Jam Office of City Registrar to Get Names on Books

Drive to Register Negro Voters Gets Results as They Outnumber Whites

Deadline On Poll Tax Is Extended

Payment Limit Now Saturday

The ratio of new Negro voters to whites, which has been increasing steadily this week, leaped to better than 3 to 1 yesterday as 227 Negroes and 75 whites registered.

The new registrations yesterday sent the grand total for the week to 1,108. Of the grand total, 727 were Negroes and 381 were whites.

The deadline for payment of poll taxes in order to be eligible to vote in the August primary and the November general election is tomorrow at 1 P. M. Previously, it had been announced that the deadline would be 5 P. M. today, when municipal offices close.

But yesterday City Treasurer Grey P. Hulce and Commissioner of Revenue E. Glenn Jordan said they will keep their offices open from 8:30 A. M. until 1 P. M. tomorrow in order that persons wanting to register may pay poll taxes. The poll tax is paid at Mr. Hulce's office, but it was explained that Mr. Jordan's office will have to be kept open because poll taxes cannot be paid until they are assessed by Mr. Jordan's office.

Office Is Swamped

The deadline for registering in order to vote in the August primary is July 3. Nevertheless, City Registrar Vernon N. Davis said yesterday his office has been virtually swamped by new registrants for almost a week.

Principal reason for the rush at the offices of Mr. Hulce and Mr. Davis appeared to be the activity of the Richmond branch of the National Association for the Advancement of Colored People (NAACP) in co-operation with the Richmond Civic Council.

Dr. J. M. Tinsley, president of the Richmond branch of the NAACP asked that the tax offices be kept open on Saturday. He made the request in a telegram sent to Mayor Edwards' office. When he learned that the Mayor was out of the city he made the request directly to Mr. Hulce and Mr. Jordan.

Dr. Tinsley said his organization was waging a drive to induce Negroes to register and vote and is using a sound truck in its campaign.

A Negro attorney, Oliver W. Hill, is a candidate for the House of Delegates, and it was believed that his candidacy, plus the interest in the recent Westwood Village utilities issue, had aided the NAACP greatly in its drive.

Deadline Is July 3

City officials agreed that never before had new voters registered in such numbers so far in advance of the deadline.

Mr. Davis said his office will remain closed, as usual, tomorrow.

"There's no need for us to stay open," he said. "The deadline for registering is July 3—more than two months away. As a matter of fact, there's no need for this rush of the past several days."

Until several days ago, Mr. Davis said, registrations were not excessive, numbering just a few a day. Although new voters have more than two months in which to register, it was noted that nearly all of the persons paying poll taxes this week went immediately from Mr. Hulce's office to Mr. Davis' office.

No figures were available on new registrations in Henrico and Chesterfield Counties, although it was reported that they had increased this week. Henrico Finance Officer J. Allen Gates said his office will be open from 8:30 A. M. until 1 P. M. tomorrow to receive poll tax payments and in Chesterfield County Treasurer J. William Dance said his office, which is normally closed all day Saturday, will be kept open tomorrow from 9 A. M. until 5 P. M.

Virginia 372(1) Va.

Can Elect ... Race Solon

Pittsburgh, Pa. Courier

Sat. 6-28-47

RICHMOND, Va. — (ANP) — Prospects seem good for the election of Oliver W. Hill to the Virginia House of Delegates, officials of the Civil Council said here last week.

The poll tax campaign under the direction of Amos Clark, exeecutive seecretary of the suffrage committee of the Council, has added close to 700 or more colored citizens on the list of voters.

A total of 3,791 colored citizens paid their poll tax in Richmond last year. More than 1,000 had paid their poll taxes by the deadline on Mar 3, at noon. This increase was due largely to the efforts of the Civic Council, the Richmond Democratic League under the supervision of Lewis Jackson, the NAACP, and other groups.

It is believed that between 5,000 and 5,500 colored residents should be prepared to vote in the August 5 primary. Sat. 6-28-47

Local Negro ... Registrations Hit New High

Richmond, Va. Times-Dispatch

372(1) Va.

A tabulation at City Hall yesterday showed that the drive of the Richmond branch of the National Association for the Advancement of Colored People (NAACP) to register Negroes for voting purposes had resulted in 2,428 paying their poll taxes for three years, sending the total number thus paid up to the record-breaking high of 6,230. Payment of poll taxes for three years is a prerequisite to voting in the August primary and the November general election.

At the same time last year just 3,802 Negroes had paid their poll taxes for three years. This year's total is an increase of 61 per cent.

...registered.
...nificance of the number
...s who have registered
...d by the fact that just
...s were cast in the City
...lection last June and
...votes were cast in the
...ic primary in April,
...e June election.

The NAACP drive was sponsored by the Richmond Civic Council and Amos Clark, secretary of the council's suffrage committee, said not all the Negroes who had paid their poll taxes had registered to vote, but that they will be registered by July 3, the deadline for registering for the August primary. Fri. 5-23-47

City Treasurer Gray P. Hulce said that 8,013 votes were cast in the councilmanic primary in April, prior to the June election. However, many of them is accented by the fact that 2,549 votes were cast in the Council election last June and

Virginians Fight Polltax Barriers With Novel Plan

The Worker, New York, N. Y.
Sun. 9-7-47

RICHMOND, Va.—Efforts of Virginia labor, particularly the CIO, have been to make every union member a voter. In the first place this meant paying the polltaxes—single greatest factor why many workers and their families never vote.

In the past two years much progress has been made, particularly among the Negro people. In Richmond alone, more than 6,000 Negroes paid their poll taxes and registered for the Democratic Primary for State Legislature held this past Tuesday.

This campaign has also extended to the white trade unionists and their families and friends.

The Byrd political machine, which represents the banking, industrial and large growing interest, is fearful of this movement. It recognizes its potentialities and is trying to limit it.

Sun. 9-7-47

ONE OF THE MOST encouraging aspects comes from the CIO organizing drive. Every time a new plant is organized more new voters are made possible. More people organize to fight Byrd instead of just talking against him. Much of this new organization is taking place in the rural towns which have traditionally been the stronghold of the Byrd organization.

The FTA-CIO has adopted the plan of instalment paying to get workers to pay up their poll tax which amounts to $5.01. With this plan the workers can pay 25c at each union meeting to the PAC chairman and get a receipt. This means that by next May, which is the deadline for the '48 elections, most workers will have saved up enough to pay their poll tax, which they could not do originally in view of the high cost of living and 50c

Sun. 9-7-47

The plan has been successfully tried by the peanut workers of the CIO. Now the newly organized tobacco workers are trying out the system.

The instalment plan is expected to increase poll tax payments tenfold.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH PET 100

WHITE PRIMARY RULING

It is surprising that the successful attack on South Carolina's White Primary Law has not attracted more notice in Alabama. The attack is highly significant. It is one whose implications party leaders, whatever their persuasion, should think on.

South Carolina in 1944 repealed all its laws pertaining to primary elections. What was set up in its stead was a "private club," otherwise the Democratic Party. Only white voters were eligible for membership. Negroes were thus disfranchised.

It looked like a good idea and a "way out" to some other states. Georgia enacted a White Primary Law, but the Governor vetoed it. One Alabama legislator announced that he would introduce a similar bill, but the idea generated no enthusiasm and the bill lies a-mouldering.

In South Carolina, a Negro went into Federal court with the case that he had been denied his citizen's rights because of color. Montgomery, Ala. Advertiser

The Federal district judge was a native of Charleston, Judge J. Waites Waring. The Federal judge held, "Negroes are entitled to be enrolled to vote."

Taking notice of the contention that the Democratic Party had been made into a "private club" that could reject members like the Elks or the country club, the court observed: Fri. 7-18-47

"To say that there is any material difference in the governance of the Democratic Party in this State prior to, and subsequent to, 1944, is pure sophistry."

Apart from the questions of social justice and social injustice, we submit that the ruling of this Federal court is another in a long list of warnings to those who believe voting lists can be frozen. The Federal government has a determined eye upon suffrage conditions in the South. Excesses such as the South Carolina "private club" system of electing officials won't endure.

Responsible leaders of the Democratic Party in Alabama like Gessner T. McCorvey recognize that inflexible resistance to franchise extension might well result in a circumstance which would break the dam. McCorvey and the other discerning leaders of the party in Alabama are aware that the Federal government places its own interpretation on the 15th Amendment to the United States Constitution:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation." Fri. 7-18-47

This is a formidable lever.

White Primary Bill Timing May Be Decided Next Week

Montgomery, Ala. Advertiser
Wed. 7-2-47

By ATTICUS MULLIN

Gossip has it at the Capitol that the white primary bill has been ready for introduction for a month but, so far, its sponsors have not come forward with it and Tuesday the talk was that it would be another week before such a bill reached the legislative hoppers.

One trouble, it was learned, is that Chairman Gessner McCorvey, of the Alabama Democratic Executive Committee, has not given the green light to the introduction and passage of such a bill. Of course, Mr. McCorvey's green light is not at all necessary for the sponsors of the bill to get into the fight.

Court Test Seen

Whatever the reasons for the failure so far of the white primary bill to become a legislative issue, the writer was told Tuesday that one was certain of introduction. One line of thought was that the sponsors of a white Democratic primary were awaiting a decision in South Carolina as to the validity of that State's white primary bill. The bill is now before a federal district court where its constitutionality has been brought up. But whatever the decision of that court, whether in favor of a white primary or against it, sponsors of an Alabama bill are certain that the matter will eventually go to the Supreme Court of the United States. Wed. 7-2-47

Some months ago Chairman Gessner McCorvey, of the Alabama Democratic Executive Committee, expressed doubt that the time was ripe for such a bill as that in South Carolina to be introduced in the Alabama legislature. Whether he has changed his mind or not is still the question.

South Carolina, in order to circumvent a decision of the United States Supreme Court in the Texas case, which made it mandatory for Negroes to be allowed to vote in a primary, passed a law disassociating a primary from state control. It provided that the party should pay for the primary and all statutes relative to a primary were repealed.

It is expected that next week will be the deadline for white primary friends to introduce a bill in the legislature. The Advertiser contacted two friends of a proposed white primary Tuesday and they said next week would mark a decision on whether the bill would be fought out at this legislature or await another session. Wed. 7-2-47

Delay Indicated In Effort To Assure White Primary

Montgomery, Ala. Advertiser

By ATTICUS MULLIN

Proponents of a white primary in the Senate and House of the Alabama Legislature will probably postpone the introduction of their bill either until a continuation of the current session of this Legislature next Spring or until January of the regular session in 1949. Mon. 7-21-47

The outcome of litigation wherein the statute of the State of South Carolina establishing a white primary is being litigated will probably be awaited before such a measure is enacted in Alabama. A Federal district judge in South Carolina has held the white primary law invalid even though such a primary is not under State control and the State of South Carolina does not provide any of the expense.

Several members of the Alabama Legislature have been discussing this phase of the white primary situation. They feel that if such a law is finally declared invalid by the Supreme Court, it would do no good to enact it in Alabama. If the Supreme Court upholds the South Carolina white primary, a bill establishing such a primary in Alabama will follow at the first meeting of the Legislature after such bill is declared sound. Mon. 7-21-47

Delayed Again

Several conferences have been held by proponents of the white primary bill in Alabama since the Legislature met in January. They were only awaiting the passage of certain controversial legislation before dropping a bill into the legislative hopper. But now that the South Carolina law is being litigated in the courts and will finally be decided by the United States Supreme Court, the decision to introduce the white primary bill has been delayed again.

White Supremacist Gets Political Job in Ala.

Pittsburgh Courier
37e(2) Baltimore Sun

BIRMINGHAM, Ala. (NNPA)—H. A. (Gus) Thompson, a leader in the movement to keep the State Democratic primaries lily-white, has been appointed a member of the Jefferson County (Birmingham) Board of Registrars.

During the campaign for adoption of the Boswell Act, a North Alabama Committee, with Thompson listed as secretary, published a "hate sheet" which had for its banner "Vote White — Vote Right." It attacked the NAACP colored soldiers and several other individuals and groups.

Under the terms of the bill that was to be introduced in the Alabama Legislature, the State would not regulate primaries or share in their expense. The Democratic Party would be so solely responsible for the primary.

Alabama Stalls On State "White Primary" Bill

37e(2)
Norfolk, Va. Sat. 7-12-47

By Associated Negro Press

MONTGOMERY, Ala. — Action on a state "white primary" bill has been delayed for another week or two, according to information revealed here last week.

Two reasons were advanced for the delay in placing the measure before the assembly. One is that Chairman Gossner McCorvey of the Alabama Democratic Executive committee has not given official sanction to its introduction and passage, and the other, sponsors of the bill are awaiting a decision in South Carolina as to the validity of that state's "white primary law."

Journal & Guide Norfolk, Va.

LEGISLATION READY

Sat. 7-12-47

Alabama's proposed legislation has been ready for a month. Although McCorvey has not given the green light to its consideration, sponsors of the measure could get it into the fight.

However, they are reluctant to do so, because of the present fight being carried on in a federal district court on the constitutionality of the South Carolina measure. They say whatever decision is handed down will certainly be fought all the way to the U. S. Supreme Court.

Resolution Dies When Gov. Fails To Sign It

MONTGOMERY, Ala., Oct. 15—A resolution piloted through the now adjourned session of the State Legislature by Rep. Walter Givhan of Dallas county setting up a joint committee to investigate the state primary and election laws and report back to the 1949 legislature died for the lack of Gov. James E. Folsom's signature.

Gov. Folsom said that he would establish his own committee to study the primary and election laws in a comment on his "pocket veto" Oct. 15.

Rep. Givhan, in an interview to Atticus Mullins, political reporter of the Montgomery Advertiser, had previously indicated that his proposed committee would seek to find a substitute plan for restricting Negro voting in the event the Boswell amendment, which required that intended voters "understand and explain" the United States Constitution, is upset by the courts. He was speaking in what was termed as the Black Belt's answer in opposition to the State NAACP's "Operation Suffrage" which calls for a test case on constitutionality of the Boswell Act and other vote suits in counties where citizens are wrongfully denied an opportunity to register and vote.

In Dallas county, 20,863 of the potential 30,084 voters are Negroes, although there are less than 100 qualified Negro voters in this county, it is said. A branch of the NAACP has been organized in the county seat of Selma, home town of Dr. D. V. Jemison, president of the National Baptist Convention, Inc., and a recent $500 life member of the NAACP.

In a majority of the 15 Black Belt counties, Negro citizens are prevented from voting through threats of violence and intimidation, it is said. Typical counties are Wilcox, Russell, and Lowdnes. In some of the nine Wiregrass counties such as Pike, Crenshaw and Henry, Negroes reportedly are denied voter registration. Veterans

Charge 37-Year Violation of Constitution--By Alabama Solons

BIRMINGHAM.—For 37 years the State Legislature has been violating the Alabama Constitution.

The Constitution of 1901, under which the state now is governed, provides that after each decennial federal census the Legislature shall carry out a reapportionment of Senators and legislators according to recorded changes in the population.

Four census periods have gone by—1910, 1920, 1930, 1940—and the 1947 Legislature, like those before it, has refused to carry out its sworn duty to re-apportion.

The result today is that the Legislature is flagrantly unrepresentative of the people of the state. There are 35 Senators and 106 Representatives provided for under the present Constitution. According to the 1940 census, which gives Alabama a population of 2,832,961, there should be one Senator for each 80,941 persons, and one Representative for each 26,726 persons.

BUT, under the present set-up, the largest senatorial district (Birmingham-Jefferson County) has one Senator for 459,930 people, and the smallest district, Lowndes County in the Black Belt, has a Senator representing only 22,661. Similarly with Representatives: one Representative for 65,704 in Jefferson County, one for only 9,905 in Bullock, another Black Belt county. The other counties fall with varying degrees of unequal representation in between these extremes.

Since 1901, the population of north Alabama has increased tremendously in the steel producing area around Birmingham, the northern textile towns, the industrial communities grown up through the development of TVA in the bend of the Tennessee River. The population of many south Alabama counties has decreased.

Failing reapportionment to reflect these changes in population, the vote of a man in Lowndes County for State Senator is worth about 22 times as much as the vote of a man in Birmingham.

The result is that the Black Belt and south Alabama counties in effect impose a minority rule on the state. Further, it is precisely in these counties that the disfranchisement of Negro citizens, who form the majority of the population in many counties, is most flagrant.

IN THIS WAY, the plantation system has kept the political stranglehold of the Black Belt on the Legislature of the state. This is why every effort to carry out the constitutional provisions for reapportionment has been defeated.

The 1947 Legislature, which outdid itself in blocking the program on which the people elected Gov. Folsom might well face the charge before the people that it was illegally constituted, that it does not represent the people of the state as provided in the state Constitution.

37e(2) 1947

Arkansas Abandons Separate Primaries

Daily World
Little Rock, Ark.

LITTLE ROCK, Ark.— (NNPA) — The Arkansas house passed unanimously & without debate last Tuesday a mesaure repealing the 1945 separation of State and Federal primaries designed to keep colored people from voting for the State and county nominees.

Sat. 2-1-47 37e(2)

The measure now goes to Governor Ben Laney. He has expressed disapproval of the separate primaries. Colored people voted without challenge in the State primaries in most of Arkansas last year.

4 Bills Seek "White Primary" In Florida

The Constitution Tallahassee, Fla. Fri. 2-21-47

TALLAHASSEE, Fla., April 10 (INS)—Four bills aimed at establishment of a "white primary" law in Florida were submitted in the State Senate Thursday.

One of the bills would repeal all laws relating to political parties and primary elections, divorcing the latter from State control and thereby paving the way for a ban on Negro voting.

Sen. John Mathews, of Jacksonville, issued a statement declaring:

"Under the bills, the Communists, Prohibitionists, Socialists, the CIO, the Republicans and the Democrats would be privileged to organize as voluntary organizations and to conduct their own affairs." 4-11-47

Mathews also proposed a constitutional amendment setting up a literacy test for voters. The measure would eliminate from voting those "who cannot read any paragraph" of the Florida or U. S. Constitutions.

Florida Senate Kills White Primary Bill

TALLAHASSEE, FLA., May 8.—(AP)—The Senate killed by a 30-4 vote today the white primary bill aimed at removing party primaries from state control. Montgomery Advertiser

The vote came after nearly three hours of debate, most of it from Senator Mathews, of Jacksonville, one of the bill's sponsors. Fri. 5-9-47

The other white primary measures were removed from the Senate's calendar of special and continuing order of business.

Mathews and Senator Sanchez, of Live Oak, asked for support of the bills to keep the Democratic Party from being controlled by outside influences. Montgomery Adv.

Progressives Battle Advocates Of White Primary in Florida

The Worker New York, N.Y. Sun. 2-2-47

By Paul Scribner

JACKSONVILLE, Fla.—The fascist putsch in Georgia, which is beginning to slow up and splinter as this is written, tends to obscure the fact that the same ends are being pursued by the forces of reaction in the neighboring state of Florida, but by quieter and more devious means.

The capstone of the Talmadge fascist state in Georgia is the so-called "white primary" bill, which would separate the Democratic primary elections from the state government, making the Democratic party there a "private association" with the power to set qualifications for its own members, thus evading the historic ruling of the Supreme Court in the Texas case in 1944.

Such a bill has already been adopted in South Carolina. And such a bill was introduced and defeated in the 1945 session of the Florida Legislature.

But the Talmadges of Florida are going to try to jam it through the 1947 session, which opens in April. Although they have not yet attempted any military march on the Capitol at Tallahassee, they are planning the passage of a law to be introduced by State Senator John Mathews of Jacksonville which would disfranchise both the Negroes and the organized labor political-action forces of Florida.

★

AGAINST THIS attempt a broad group of organizations, both Negro and white, is consolidating forces.

The campaign against the "private primary" bill in Florida was led off last September by the executive board of the Florida State CIO Industrial Union Council.

Meeting in Miami, the board issued a call to action which declared:

"There is a very real danger that when the crucial elections of 1948 roll around, the workers of Florida will have been deprived of any effective access to the polls."

To date, the following organizations, either on a city or a statewide basis, have come into the battle: the National Negro Congress, the National Association for the Advancement of Colored People, the Southern Conference for Human Welfare, the Southern Regional Council, and some local branches of other groups. The Worker

The Florida League of Women Voters has submitted the question to its state board. N. Y.

The Communist Party of Florida is in the fight with all its forces.

A little more than two months remain before the Legislature convenes. By that time, a co-ordinating committee, on a state-wide basis, and uniting all of the various organizations, Negro and white, which have come into the fight, will have been established. 2-2-47

Measure Aimed At Eliminating Negro Voters

Daily Worker Atlanta, Ga. Sat. 2-15-47

Author Says He'll Stump State To "Tell The Truth"

TALLAHASSEE, Fla. — (SNS)— By a vote of 30-4 the Florida Senate Thursday rejected a proposed "white primary" bill that would withdraw the Democratic primary election from State control and return it to party supervision.

Senator John E. Mathews of Jacksonville, author of the bill, provoked by the voting results, rose to his feet and announced dramatically that he would stump the State as a candidate for governor and 'tell the people the truth.'

THREATENS RACE

"You, by this action, have produced a candidate for governor. I intend to take this to every by-road and crossroad in Florida to spread the truth," declared the senator.

It is believed that the Senator in mentioning the "truth" referred to his prolonged address on the Senate floor, charging that Communists are behind a move to have Florida Negroes vote as Democrats.

White Primary Loses in Florida

Daily Worker 3769

TALLAHASSEE, Fla., May 8.—The State Senate today turned down the Mathews "private primary" bill, designed to get around the U.S. Supreme Court decision barring white primaries.

The result is a tremendous victory for the labor and other progressive forces of the state. The vote was 30 to 4. New York, N.Y. Fri. 2-28-47

A Senate Committee also voted disapproval of the Mathews anti-strike bill after conducting public hearings on the measure.

A "WHITE PRIMARY BILL"?

The News Birmingham, Ala.

Now they are talking about seeking passage of a "white primary" bill in the session of the Alabama Legislature. Montgomery reports tell us that several legislators seriously discussed this proposal at a recent conference.

Didn't the sponsors tells us that the Boswell amendment was going to fix everything up just fine? And at the next meeting of the State Democratic Executive Committee they began talking for legislation and possibly another amendment to clarify the Boswell provisions. Now the propaganda has started for a "white primary bill."

Success in putting over the Boswell amendment put a lot of confidence into the factions that want close controls kept over who shall vote in Alabama. Talmadge wasn't able to put the white primary measure through the Georgia Legislature, and the South Carolina plan on which the idea is based has not yet met the test of court decision. Tue. 5-16-47

Are the folks who proclaimed the Boswell amendment such a fine thing not willing to let it function? Seemingly not. They want to patch it up and then add a "white primary law" that would take the Democratic Party voting entirely away from any state connection. The idea is to make it a sort of club to which only the "right people" will belong.

Prospects for putting that one over in Alabama probably are pretty slim, but experience has been that you never can tell until the votes are counted. Anyway, if it comes up as predicted, the scrap over the "white primary" plan will no doubt be one long remembered in legislative circles.—Gadsden Times.

37e(2) 1947

General

Prejudice Seen as Barrier During 1787 Convention

Afro-American Baltimore, Md.

sat. 3-8-47

Provisions Made to Avert White Primaries as Set Up in Georgia and South Carolina

By LOUIS LAUTIER

WASHINGTON — (NNPA) — In view of the language of the U.S. Constitution, of the intention of its framers and of U.S. Supreme Court decisions, there appears to be no question as to the Constitutional powers of Congress to enact legislation regulating Federal elections.

The passage of the Georgia Legislature of the white primary bill is cumulative evidence of the Deep South's determination to flout the Supreme Court decision holding that colored people cannot be barred legally from voting in party primaries.

Signed by Herman Talmadge, whose right to the Georgia governorship the Georgia Supreme Court must decide, the bill provides that candidates be nominated by a lily-white private Democratic club.

sat. 3-8-47

Seen as Precedent

If the plan succeeds in South Carolina, the first Southern State to resort to it, and Georgia, others are bound to follow it. Certainly it is more subtle than the use of violence advocated by Sen. Theodore G. Bilbo in Mississippi.

Isasmuch as the Constitution provides that no person shall be deprived of his right to vote because of his race, creed or color, the Congress should enact a Federal law governing elections of representatives, Senators, President and Vice-President.

Such a law need only provide that the United States shall watch over every stage of a Federal election to insure that every qualified citizen shall have the right to register, to vote and have that vote counted.

Provided in Constitution

That the Congress has such power is found in Section 4, Article 1, of the Constitution, which provides:

"The Times, Place and Manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Explaining the need of a general government, James Madison, one of the framers, in the convention on Aug. 8, 1787, pointed out that the State Legislature will certainly fail or refuse to consult the common interest at the expense of their local conveniences or prejudices.

sat. 3-8-47

Still later, the Supreme Court, in the case of Ex parte Siebold, 100 U.S. 371, ruled that there is nothing in the words to prevent the Congress from interfering with regulations made by the States.

Hands-Off Laid to Respect

"On the contrary," he said, "their necessary implication is that it may do either. It may either make the regulations or it may alter such regulations."

Discussing the question in Ex-parte Yarborough, 100 U.S. 651, Supreme Court Justice Samuel F. Miller pointed out that it was only because the Congress has, in deference and respect to the States, refrained from the exercise of these powers that they were doubted.

The Highway

Afro-American Baltimore Md.

by Charles H. Houston

Recently I was in Alabama and Georgia and took time out from the business at hand to try to get reactions to the 1946 Boswell amendment to the Alabama State constitution and the 1947 Georgia white primary law, both designed to prevent the colored vote from becoming an important political factor in those States.

When the United States Supreme Court in 1944 decided the last Texas primary case (Smith v. Allwright) and held that a qualified voter could not be barred from a primary election held under State control, colored registration and voting sharply increased in all Southern States.

The white demagogues immediately began tub-thumping for "white supremacy." Bilbo and the late unlamented Gene Talmadge made suppression of the colored vote the chief blow-off issue of their 1946 campaigns.

Another Barrier

In Alabama a State legislator named Boswell sponsored an amendment to the State constitution abolishing the property qualification for registration and substituting an "understanding" qualification.

The amendment was adopted in the 1946 election, and its effect is to give the local registrars authority to refuse to register voters unless they satisfy the registrars that they understand the constitution.

Sat-7-13-47

While it will not be possible very long under this amendment to keep colored college and professional people from voting, because they can go into court and demonstrate they have forgotten more than most of the white Alabama registrars ever knew, the amendment presents a serious obstacle to getting the great bulk of Alabama colored citizens registered because most of them have had only an elementary education or less in the excuses which in Alabama pass for colored rural schools.

Talmadge's Successors

In Georgia, Talmadge promised that if the white people would elect him governor, he would pass a law making the primary elections a purely private white club affair.

He did not live to make his promise good, but his cohorts have passed such a law, on the theory that if the Democratic primaries in Georgia are run on the basis of a private club election, in which the State plays no part, colored citizens can be barred from participating.

The colored people in Alabama and Georgia are neither surprised nor dismayed. They recognize the fact that most of the men who now run Alabama and Georgia politics are race haters and have a long list of abuses to answer for.

They say these men are just trying to save their own skins by preventing the colored people from voting, because if the colored people voted freely, they would be out of office at the next election.

The NAACP has been studying the Georgia legislation with a view toward instituting suit just as it has in South Carolina, which passed a law taking away all State control from the South Carolina primary.

In Alabama the citizens are laying their preparations to sue any registrars who make a difference between the examinations they put to those persons who apply for registration.

Sat-7-13-47

Position Changing

What interests me is that the Alabamians and Georgians were not talking about beating the Boswells and the Talmadgites. They were discussing what they were going to do after that.

Their position in the South is changing, more rapidly under the surface than on top. The young people of the South have a different attitude from their elders; they are worried about this legacy of race hate which their elders are handing down to them.

More and more of them are beginning to see this really is one world, and not the "white man's world" they had been brought up to expect and believe in.

One of the smartest men in Alabama expressed his opinion that the only thing colored people had to fear in the South was that they might not be able to take advantage of the opportunities as fast as they open to them.

He said: "We've been spending 75% of our time fighting the white people to get our rights and 25% of our time preparing to enjoy them. Maybe we had better start working it the other way around." I think he has a point.

Southern Judge Hits "White Primary"

Journal and Guide Norfolk, Va.

ALMOST no state in the southern region is wholly innocent of some effort during the past decades, if not now, of attempting to nullify the vote of Negro Americans by excluding them from Democratic primaries, success in which the South is still tantamount to victory almost without exception.

In some of the relatively more liberal states — Virginia, for instance —the affected would-be voters have secured redress in the state courts, without the necessity of appealing through the federal judiciary up to the United States Supreme Court.

Not so in other states, notably Texas, from which originated a series of historic tests that went up to our nation's highest tribunal. In the various cases the Supreme Court has not ruled consistently. In the CLASSIC case, for instance, originating in Louisiana, the Supreme Court held that Congress had the right to regulate primaries as well as general elections. In the LONNIE SMITH suit initiated in Texas, it held eight to one, with Justice ROBERTS dissenting, that Negroes could not be barred in Texas from the primaries, which the party specified "for white only."

Earlier, in 1935, the court had ruled otherwise in the GROVEY vs. TOWNSEND case. Then in 1944 the persistence of the stalwarts who would not be discouraged was crowned with success and the Supreme Court, in another Texas case, ruled:

> **The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any state because of race.**
>
> **This grant to the people of the opportunity for choice is not to be nullified by a state through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could thus be indirectly denied . . . The right to vote in such a primary for the nomination of candidates without discrimination by a state, like the right to vote in general elections, is a right secured by the Constitution.**

Thereafter, South Carolina and Georgia, notably, sought to rinse their primaries lily-white by the tactic of re-exclude from membership who choose to. Sat. 7-26-47 moving all reference to primaries from the state statute books, hoping there- In South Carolina the white-wash decessor, the outlawed Governor HER- pushed through by his erstwhile pre- by to succeed with the fiction that stood up until a challenge of the system affairs and tem reached the Federal District clubs, may Court in Charleston, S. C. In Georgia, whomever Governor THOMPSON vetoed the law

MAN TALMADGE, son of the late and unlamented GENE TALMADGE. THOMPSON did not do so because he disapproved so much to excluding Negroes from an effective ballot, but because of the method used and his fear that it might adversely affect the political *status quo* and be used to disbar some white voters.

But a native born South Carolinian, Judge J. WATIES WARING, sitting in Federal Court in his home town, Charleston, has upset the strategy of the Palmetto State Legislature and ruled that "Negroes are entitled to be enrolled to vote" in the Democratic primaries in South Carolina.

His opinion, rendered Saturday along with another upholding the exclusion of Negroes from the law school of the state university—but only until next year, unless the state provides an equivalent school at the already established colored state college—reads in part: Sat. 7-26-47

I am of the opinion that the present Democratic Party in South Carolina is acting for and on behalf of the people of South Carolina; that the primary held by it is the only practical place where one can express a choice in selecting federal and other officials. Racial distinctions can not exist in the machinery that selects the officers and lawmakers of the United States; and all citizens of this state and country are entitled to cast a free and untrammeled ballot in our elections, and if the only material and realistic elections are clothed with the name "primary," they are equally entitled to vote there.

In view of the 1944 decision of the U. S. Supreme Court, and the recent tenor of its decisions on constitutional issues, there is sound ground for confidence that Judge WARING'S ruling will be upheld if it is appealed to the Supreme Court. GEORGE ELMORE, who was the plaintiff in the South Carolina case, the attorneys who represented him, and all who have encouraged and supported him deserve the gratitude of every person who professes to love the democratic way of life.

That no serious harm will come about if the hot-heads among the white group are held in check in South Carolina, is indicated by the record in North Carolina and Virginia in recent decades, where the colored citizenry now meets no organized and stubborn opposition to exercising the right to vote either in the primaries or in general elections. That is only right and proper.

Judge WARING may have set the stage for a return to a more democratic pattern in his state. Further, he may have halted a potential new tactic of disfranchisement from spreading to other parts of the South where there is still an intense desire to disfranchise millions of citizens who are black but also Americans. His decision may become a veritable landmark.

New Battle Shapes Up On Votes for Negroes

Courier-Louisville Ky. News
Sun. 8-24-47
37c (2)

By CHARLE
Associated

ATLANTA, Aug. 23.—A new and perhaps decisive phase is developing in the South's long legal battle over Negro suffrage.

Courts have declared illegal repeated efforts by Southern States to deny Negroes an effective ballot—but there is one surviving device, a potential last citadel for Southern "white supremacy" campaigners.

This scheme, described as "the final straw" by a Negro leader, is a heretofore little-noted Alabama constitutional amendment. Negro leaders now disclose that they are prepared to launch the first court challenge of the amendment within a few weeks.

On the outcome may hinge, once and for all, the right of masses of Southern Negroes to an effective voice in Democratic primaries, the real elections in one-party Dixie.

Phony Named Used

If the amendment is sustained, other Southern States may be quick to shift to the same idea. A leader of the Herman Talmadge faction in Georgia already has called for a similar step.

If the Alabama measure is voided, Southern States may have no alternative but to cease fighting Negro suffrage.

Although the Alabama amendment was designed frankly to prevent Negroes from voting, it is called an "educational qualification" for registration to vote, applicable in principle to both white and Negro. The power to determine whether a prospective voter meets the qualification is left to a local County board of registrars.

Previously prospective voters were required to be able to "read and write" the Constitution. Now they must be able to "understand and explain" any section of it to the satisfaction of registrars.

No Doubt Left

The amendment was adopted by a state-wide referendum in 1946, after a split among state Democratic leaders.

Sponsor of the proposal, Representative E. C. Boswell of Geneva, Ala., left no doubt it was intended to prevent "mass Negro voting." State Democratic Chairman Gessner T. McCorvey said bluntly the amendment is an "effective way of keeping Negroes from voting in the future."

They believe it will survive court attack because its language gives no indication of discrimination or violation of civil rights.

Most states have retained some type of educational qualification for voting.

Negro leaders, however, plan a vigorous legal assault. A. T. Walden of Atlanta, a member of the legal committee of the National Association for the Advancement of Colored People, said the attack would be based on "unbridled discretion" left to registrars.

"This is the final straw," said Walden. "I know of no other device by Southern States to keep our race from voting which already has not been declared unconstitutional. This may be the concluding and decisive chapter in our fight."

Attack to Be Broad

Walden contends the amendment requires judicial knowledge of registrars who themselves may be no better qualified than the applicants. He said the intent and adminstration of the amendment would be attacked, as well as its language.

Sun 8-24-47

The significance of the Alabama plan is reflected in recent developments in Georgia, where the Herman Talmage political faction, champions of "white supremacy," have called for a "private white primary" similar to that adopted in South Carolina.

The South Carolina plan, enacted in 1944 after the U. S. Supreme Court first ruled that Negroes are entitled to vote in Southern State-regulated Democratic primaries, sought to circumvent the ruling by expunging all reference to primaries from State statutes.

The Democratic Party was declared a private club, free to select its own members and free to stage a "private white primary" without court interference.

Many other Southerners, besides the Talmage dynasty, turned to the "South Carolina plan." Apparently it was "working," they said. Then, last July 12, Federal Judge J. Waties Waring, 66-year-old Charleston, S. C., jurist declared the "private primary" was illegal.

Prejudice In Politics

Week-end readers of the Atlanta newspapers found that front-page display was given to two stories, one dealing with the decision of a Charleston federal judge on the South Carolina white primary statute, and the other reporting a resolution adopted by the North Georgia Methodist Conference calling on "all our Methodist people and all other citizens to discourage by every possible means the injection of race or class prejudice into political campaigns." Over in Georgia these items have a special significance. Eugene Talmadge was elected governor on a platform promising a Georgia version of the South Carolina arrangement. Legislation to this effect, during Herman Talmadge's brief tenure of the gubernatorial office, was rejected by his successor, Thompson. Herman has been threatening to make this the chief issue of his campaign for the governorship in 1948.

News
Birmingham, Ala. News
Tues. 7-15-47 37c(2)
Birmingham, Ala* Jrn

It was a United States district judge with the respected name of Waring who declared the South Carolina law, setting up the Democratic Party of that state as a private organization, to be invalid. Under this scheme Negroes were not permitted to vote in the Democratic primary. Judge Waring said that Negroes are entitled to that privilege, that racial distinctions cannot exist in the machinery that selects the officers and lawmakers of the United States, that Negroes have a right to participate in the only material and realistic elections held in the state. The use of the term "primary" to prevent citizens from voting is an empty play on words in these circumstances.

The jurisdiction of Judge Waring does not extend into Georgia, but his ruling has both a moral effect and a legal influence which are bound to be felt elsewhere in the South. Happily, Alabama is not in this category. Some voices have been raised among us urging that we follow South Carolina's example. But Democratic Party leaders like McCorvey, of Mobile, have stood out against such futile efforts to evade the Supreme Court's mandate on the subject. They have preferred to strengthen qualifications for voting as the best course to follow. They have preferred the principle of making requirements for registration stiffer for the purpose of applying these fresh tests to all comers, irrespective of race, color or previous conditions of servitude. That kind of wisdom is bound to save Alabama from a great deal of trouble and confusion.

Tues. 7-15-47* *
What the North Georgia Methodists said on the subject of race prejudice in politics deserves the attention of all Southerners. It is not only un-American, it is un-Christian, to inject that consideration into political affairs, this resolution maintained. "Such base appeals are contrary to the sacred teachings of our Christian faith, and destructive of the finer qualities of character and citizenship, and should be opposed by all who claim to be followers of Christ. . . . It is our deepest conviction that our nation cannot endure, nor can we have the favor of Almighty God, or peace or unity within our borders, unless we maintain equal and exact justice for all men without regard to religious and democratic faith.

37e(2) 1947 Georgia

SENATOR CITES SHAKESPEARE

Mrs. Blitch Seeks To Halt Attack By Opponent on Primary Measure

The Constitution
Atlanta, Ga. Thurs. 2-13-47

By JOHN COURIC

Shakespeare came to the aid of an opponent of the Harris White Primary Bill Wednesday when a woman Senator sought to end his vocal attack on the measure.

Sen. Blitch

Sen. Iris Blitch, Homerville, Fifth District, interrupted Sen. E. F. Griffith, Eatonton, Twenty-Eighth District, to ask: "Since you admit your talk will not change any member of this body, will you deter and spare us and the taxpayers this time and money?"

With a courtly bow, Griffith, an Eatonton physician, quoted from the Bard's "Romeo and Juliet": "'Methinks the lady doth protest too much.'"

Mrs. Blitch had congratulated the fluent Griffith on his oratory and it was then that he said his talk probably would be of no avail, but he wished to express his opinions.

The 35-year-old housewife turned Senator was instructed by Senate President Pro Tempore William T. Dean that each Senator is allowed 30 minutes to discuss each section of the bill.

Fiery debate over the measure to remove all legal regulations from Georgia primaries and thus bar Negro voting enlivened the Senate as it droned through section after section. When the Senate adjourned shortly before 2 p. m. only 21 of the 51 sections had been passed.

Sen. A. H. S. Weaver, Macon, Fifty-First District, continued to lead the proponents of the measure, with Sen. Everett Millican, Atlanta, Fifty-second District, challenging him on almost every step. Millican was aided by Dr. Griffith.

When Sen. V. H. Hooks, of Lexsy, Sixteenth District, came to Weaver's aid and spoke for the measure, opponents began to indulge in fervent oratory with frequent recriminations.

Sen. J. B. G. Logan, of Homer, Thirty-Third District, denied the statement of Sen. Grady Coker, of Canton, Thirty-Ninth District, that he was elected on "Talmadge's coat-tails."

Logan said he never agreed to support any such White Primary as passed by the House. He added he did favor a White Primary which would leave primary regulations on the statute books, or would vote for the Harris Bill if it were approved in a referendum.

Thurs 2-13-47

Logan had asked Coker if he favored a referendum on the measure.

"The Senator's question is not germane and I refuse to answer it," Dr. Coker said.

When Coker made his speech in favor of the Harris Bill, he also defended the Cracker Party. "If 65 people can't carry an election over 35 percent of the Negroes, then we are a poor lot of white people."

Former House Speaker Harris was referred to variously as "the little fat man from Richmond County" and "the little man from Boggy Gut Creek" by Sen. Charles B. Yates, of Ringgold, Forty-Fourth District.

Yates called upon the Senators to "vote like men" and not like Harris "wants us to."

His speech drew a sharp rejoinder from Sen. Darby who exclaimed:

Atlanta, Ga.

"My friend intimates we are led around by little Roy Harris. I'm as much a gentleman as he (Yates) is and ain't no man in Georgia who can lead me around."

Sen. Bill Parker, of Baxley, Fifty-Fourth District, called the bill a rope with which its backers might hang themselves.

"But I want to tell you," he exclaimed, "that Bill Parker, of Appling County, who can on nobody's coat-tail—Talmadge's, Carmichael's, or nobody else's—is not going to give you any of that rope. I am going to sit here and vote against every section. And—if I am able—and I will be—I'll vote against the whole thing on the last roll call."

Thurs. 2-13-47

Early in the day, the Senate defeated an amendment by Sen. Millican requiring that ballot boxes be exhibited as empty before general elections.

The Harris Bill repeals this section without placing it in general election law and, Millican said, this would leave Georgia without a law requiring exhibition of ballot boxes before elections.

Proponents of Harris Bill said this regulation was cared for in primaries by Democratic Party rules.

Millican charged that loss of this legal regulation would permit ballot box stuffing.

of Richmond County, with which former House Speaker Roy V. Harris, leading author of the measure, is aligned.

"The Cracker Party is not as bad as some think, they're just a bunch of human beings," Coker said.

The Constitution

During his speech, Logan appealed for a referendum on the bill before final passage. Sen. Weaver asked if Negroes would vote in the referendum.

Logan replied that they could and "if 65 percent of the white

"Evil Law"

Editor Constitution: After burning oil into the midnight hours, the demagogues finally produced what is known as the White Primary Bill, and, believe it or not, they passed this evil law during our National Brotherhood Week.

They think that they have found the least common denominator, but in the end this vicious enactment is going to needlessly slap those whom it wasn't intended to hurt.

The Constitution

Let the assemblymen who voted for the bill remember that no State can advance long and endure that spends so much money and energy trying to hold down certain groups within its borders.

Atlanta Ga
Wed. 2-26-47

REV. PAUL A. ANDERSON.
Atlanta.

Insult to Patriots

Editor Constitution: The recent dastardly act of the Georgia Legislature in upholding the un-American White Primary Bill is an insult not only to the Negro people, but also to the patriotic people of all times.

37e(2)

Surely the Negro people have the right to vote not only in general election, but in all elections. Never in the history of the United States has there been a traitor to this country among the Negro race.

Colored men have fought and died bravely on the battlefield in every war of the United States. The White Primary supporters claim that 150 years ago that Negroes were savages and uncivilized. Yet in 83 years the Negro race has advanced to such an extent that whatever professional occupations acquired by whites, that same can be found among colored people.

They also say that Negroes are ignorant and untrustworthy, yet day in and day out they trust them to take care of their children and also take charge of the cooking. I wonder if they would stop lying and reveal the true facts, that so far their children have been unharmed and they haven't as yet had food poisoning.

I motion that the White Primary supporters who keep upholding the bill be made to pay the taxes of every Negro who refuses to pay his share, because they refused him his Constitutional right to vote.

I quote a great man, of whom neither Herman Talmadge or M. E. Thompson can ever hope to equal. I refer to our greatest statesman, Patrick Henry, who said in a crucial period of our country, "An appeal to arms and to the God of hosts, is all that is left us."

The Federal Government last year ruled that Negroes could vote in Georgia's primaries, yet the State is attempting to nullify the Supreme Court's decision.

So I leave to their warped minds a simple question: Was the Civil War fought to determine whether the Federal Government was to be supreme over the States or were the States to be supreme over the Federal Government?

MARION M. CHANEY.
Atlanta (U. S. A.?).

Law or Talmadge?

Editor Constitution: I'm just an ignorant citizen who wants to know. Do we want a Governor who condemns one court that ruled against him and accepted the ruling of another that was for him? Is he for law or Talmadge? When Talmadge said he wasn't surprised at the decision in his favor at McDonough, did he mean that he had it "fixed" in that court as he claimed Thompson did in the Rome court? Where does a man like that stand? Will the State charge Talmadge rent on the mansion if he is ruled out? What crimes have the Negroes committed? Can we punish a crime before it is done? If the Negro hasn't sense enough to vote, do they have sense enough to rule your children and home? There is a way to hold oneself up without holding another down. Let's pray to have more men like Dr. Rabun who is not afraid to take a stand for right. If God be for us who can harm us?

Atlanta. V. M. WHITE.

Talmadge Fears Harris Bill Delay

The Constitution
Atlanta, Ga.

Gov. Talmadge said Thursday it may take until March 1 to pass the White Primary Bill in the State Senate if the present filibuster tactics are not changed.

Meanwhile it became apparent that both he and the Lt.-Gov. Thompson were appealing for the support of the schoolteachers.

Members of the Legislature Thursday received telegrams from schoolteachers urging the solons to put the teachers' 50 percent pay raise in the "regular" appropriations bill, and not make it contingent upon the raising of new taxes.

37e(2) Ga.

This follows the line of thought expressed by Thompson. He has declared all the expanded services promised by the late Gov.-Elect Eugene Talmadge should be placed in the "regular" appropriations bill.

Atlanta, Ga.

Talmadge, however, has telegraphed schoolteachers urging them to request their legislators to stay in session until new revenue is raised to finance the expanded services. The House has passed a bill which divides the present State services from the proposed expanded services, and leaves the expanded services dependent upon raising new revenue.

Thurs 2-A-47

4 Primary Bill Foes Helped Write It—Harris

The Constitution

Former House Speaker Roy V. Harris, of Augusta, Thursday issued a statement in which he asserted some of the opponents of the Talmadge Administration's White Primary Bill helped him write the measure.

Atlanta, Ga.

His statement named Rep. Charles Gowen, of Glynn; Rep. Adie Durden, of Dougherty; Rep. M. G. Hicks, of Floyd, and Lt. Gov. M. E. Thompson as having helped author the bill now under State Senate consideration.

Hats Off!

New York N.

. . . To the Rev. Joseph A. Rabun, pastor of the McRae Baptist Church, of which Herman Talmadge is a member, for his courage in opposing the doctrine of "white supremacy" in the heart of Jim Crow territory. The pastor offered to resign his post after charging that 11 of his deacons had "placed the name of Talmadge against God" in their opposition to his views on "white supremacy" legislation now pending in Georgia.

Wed. 2-12-47

Hats Off!

Davis Demands He Be Heard On White Primary

The Worker

Benjamin J. Davis, Negro Communist City Councilman has demanded that the State of Georgia permit him "as a native Georgian and a member of the bar of Georgia" to testify in public hearings on the "white primary." His telegram demanded that the bar against Negroes testifying be lifted. 37e(2) New York, N.Y.

The councilman's action came after the Georgia Senate Judiciary Committee on Monday barred Negroes from testifying at the hearing scheduled for this week. According to Committee Chairman John Brown Gordon Logan, the action was taken by the 18-man body "so there would not be mixing of the races at any time during these hearings. Sun. 2-9-47

GEORGIA EDITORS SAY:

37e(2)

The Constitution

About the White Primary

Atlanta Ga.

(MACON TELEGRAPH)

Georgia is to pay a fearful price, if this bill is made into law for the privilege of barring the Negro. To gain that end we shall wreck our primary election system and leave it open to the whims and desires of small groups of politicians.

Many persons profess to be afraid of political machines. Are they so blind that they cannot see how the bill passed by the House could easily be used as the basis for bringing about machine control? Mon. 2-17-47

Wat assurance have we that the county unit system will be retained, when that is a matter which can be brought up from time to time and new arrangements made at the whim of a handful of politicians?

What assurance have you—if you are a teacher, a preacher, a newspaperman or a bricklayer—that some future committee will not decide that all members of your group have no right to participate in a primary election?

How can you expect your ballot to be secret when the boxes will be turned over to the top men in the dominant political faction after every vote?

Georgia, a great State, cannot help herself by running away from the law, by closing her eyes to morality, by flaunting the spirit of the United States Constitution. Mon. 2-17-47

(SOUTHEAST GEORGIAN, KINGSLAND)

There are certain people in Georgia—definitely a minority, thank God—who believe that Negroes have no moral right whatever to the ballot, and who shout "nigger-lover" at everyone who will not join them in their race-baiting bigotry. To these people we have nothing to say.

There are others who sincerely concede the right of the Negro to vote, but who believe that as a whole he is not ready to assume the responsibilities of the ballot. With these people we entirely agree. But we remind them that there were other, saner methods that a thoughtful and tolerant people could have used to protect their government from the evils of bloc voting.

We use the past tense advisedly, for though the "white primary bill" may not yet be actual law, the fact of its accomplishment was realized weeks ago.

So this is it.

The clock has struck, and the bell is tolling.

There are those who don't hear it, and there are others who will call it by another name. But it's the bell, all right.

(AUGUSTA CHRONICLE)

There are other ways of barring Negroes from primaries in Georgia, but those who framed this particular bill had more selfish and sinister motives in mind than merely preventing Negroes from participating in Georgia primary elections. They saw in the public clamor for white primaries an opportunity to give the white primary advocates what they wanted while at the same time laying the foundations, through this new law, of a closely-knit political hierarchy whose members would have the final say-so in all State affairs. Constitution

What a high price to pay for the establishment of white primaries in Georgia!

If this particular bill is passed by the Senate in its present form, and signed into law, Georgians will have sold their democratic birthright; they will have embraced a system of suffrage which literally invites disohnesty, corruption, discrimination and dictatorship on a State-wide scale.

(PICKENS PROGRESS)

Advocates of the white primary bill claim that the press has misrepresented it. In what way has it been misrepresented, and why the hurry to pass it? It is true that the idea of preserving the white primary has been discussed ever since the Supreme Court declared the old primary law unconstitutional in so far as it forbade Negroes voting in the primary, but you would not make the details of your proposal public until the legislature actually met. Your bill certainly gives the local executive committees the right to say who can and who cannot vote in a primary, and if anyone wants to contest a rotten primary he will have to do so before the committee that stole it.

(ALBANY HERALD)

Our highest court has set aside all other attempts to circumvent these clear provisions of the Constitution. What reason is there to believe that it will have experienced a change of heart if and when this latest device to deny certain citizens the right of full participation in all elections shall be brought before it?

For let it not be forgotten that the Constitution of the United States remains the supreme law under which we live and move and have our citizenship being. It stands unrepealed.

We are not discussing here what we want or what is right or just. We are attempting a rather cold-blooded appraisal of what may wait beyond the things the Georgia Legislature may do before it adjourns—beyond the clashing of wills and opinions, the tmult and shouting induced by political events in this State which have attracted national attention, beyond this year of uncertainty and unrest. We are not prophesying. We are merely wondering, and perhaps a little uneasily.

State Cracker Party

Constitution

Editor Constitution: I feel that this "White Primary Bill" which has been introduced and passed in the House is nothing more than another "Cracker Party-Statewide" for the Harris-Talmadge crowd to control the State of Georgia under a dictatorship for the next 40 years. According to the way the bill is written and passed by the House no one except the Harris-Talmadgeites will be eligible to vote, or if anyone else is allowed to vote the so-called committees can pitch the votes to the four winds of Heaven unless the votes are as these committees want them to be.

Mon. 2-17-47 G. B. HILL.

Cochran.

Refutes Linder

37e(2)

Editor Constitution: To refute Tom Linders' fallacious argument for the White Primary would be to dignify folly, arrogance, and ignorance. I choose never to do this. But his argument does trouble me greatly—not because his knowledge of sscientific anthropology is spurious and his logic incredibly unsound; but because it comes from a citizen who holds a responsible position in our State Government.

When Tom Linder writes, "The yellow people, the brown people and the blacks are mentally unfit for directors in our form of Government," he puts participation and leadership in a democracy upon a mental basis only. This is, of course, a gross oversimplification of the numerous requirements. If a democracy, it seems to me, is to function at all, it must not only have intelligent participants and leadership, it must also have participants and leadership of dependable, sterling character. And in this respect, I believe, as Emerson would say, character is higher than intellect. For what does it profit any nation or race (Caucasian or otherwise) to have brilliant, intelligent men who are at the same time rats, cheats, liars, gangsters, vicious polluters and distorters of the law of man and of God!

G. LEWIS CHANDLER

Atlanta.

GEORGIA 'WHITE BILL' DECLARED A 'STEAL'

The Times

New York, N.Y.

Special to THE NEW YORK TIMES.

ATLANTA, Feb. 11—The Georgia Senate today heard the Talmadge-sponsored white primary bill branded as a measure "to legalize the stealing of each and every future election in Georgia."

The charge was made by Senator Everett Millican of Atlanta after the Senate Judiciary Committee had reported on the measure without recommendation.

The bill would repeal all State primary laws and place control of primary elections in thee hands of the Democratic party. It was designed so that Negroes may be barred from voting without Federal interference.

Talmadge forces spent the day speeding the measure toward a Senate vote. There are fifty-one sections which must be acted upon by voice vote before the measure in its entirety is submitted to a roll-call vote. 2-12-47

Eight sections were passed upon today and Senator Millican objected to each one. He warned that the measure would permit "a group of machine politicians to control the State government."

Meanwhile, another suit in Georgia's Governorship dispute between Herman Talmadge and M. E. Thompson was heard in the Henry County Superior Court. It involved a plea by thee Fulton National Bank of Atlanta for a declaratory judgment as to who is entitled to draw upon the $9,5000 State Executive Department funds left in its custody by Ellis Arnall, former Governor. The Times

Counsel for Mr. Talmadge argued the funds belonged to the State and that the court had no jurisdiction to decide the issue.

The bank's attorneys pleaded for protection of the court "to get it out of the middle of the Governorship controversy." Judge Bond Almand said he would announce a decision Saturday.

PREJUDICE SCORED BY OUSTED PASTOR

Dispatch

New York, N.Y.

Boomed for Georgia Governor, Rev. J. A. Rabun Asks Liberals to Unite Behind Thompson

37e(2)

The Rev. Joseph Arthur Rabun, ousted pastor of the McRae Baptist Church, McRae, Ga., declared yesterday that, although he was being boomed for the nomination for Governor by a group of Georgia liberals, he would refuse it rather than split the liberal vote.

He said the liberal vote could defea Herman Talmadge if it were placed solidly behind Gov. M. E. Thompson. Mon. 9-1-47

Speaking in the Parkway Theatre, 1768 St. John's Place, Brooklyn, before members of the congregations of ten Baptist churches of the Brownsville area, Mr. Rabun said he was "railroaded" out of his post on Aug. 3 by a 67-to-35 vote of the congregation "made up of many people who had not been in church for years."

He said the ouster came as a result of his opposition to the "white supremacy" bill sponsored by Mr. Talmadge in the Georgia Legislature last February.

Mr. Rabun said that "Jim-Crowism and all types of prejudice are dishonesty in public life are destroying from within our Christian and democratic society." Before it is too late, he said, we must see to it that the candidate for public office has the people's interest close to his heart, that he bases his campaign for office "upon forthright and honest statements of principles to which he mightily adheres."

"He must not," Mr. Rabun declared, "make personal attacks upon his opponents. A real democrat holds to the principle of the intrinsic dignity and worth of the individual in society. He must not judge or condemn a race or nation because of the conduct of a few individuals."

Mr. Rabun, a Navy chaplain in the war, described the Russians as "friendly and fair, just like any other people." But he excepted Foreign Minister V. M. Molotov, calling him "all that is unfair and unreasonable."

"Molotov," he said, "is representative of those in every land who cannot be democratic. Nobody can get along with him because he has a corporate mind. He is the until it is destroyed. They are the voice of a corporation—Russia. He is the voice of a soul-less body, a Communist machine.

"But our first battle is not abroad, nor is the preservation of the democratic ideal to be assured by chasing down and running out of our country Communists, Fascists and every other avowed enemy of democracy. The worst enemies of our democratic system are hiding behind its bulwarks of machine politicians to control

Facts and Figures

Stringent Educational Law Could Cut Negro Vote 60%

BY JULIAN GRANGER

ATLANTA, Ga., Aug. 9 (UP).—Were Georgia to adopt voters' educational requirement laws based on number of years' schooling, fewer than 11 per cent of the state's potential negro voting population would be barred from the polls, U. S. census bureau figures showed today.

Negroes over 25 who have had no schooling whatever number 69,679 out of a maximum voting potential of 654,001. Observers concede that at least this category would be certain to forfeit their voting rights under such legislation.

By the same token, approximately two and one-half per cent of Georgia's possible white vote would be barred. The State's potential white vote is 1,319,560, of whom 30,238 have never been to school.

State lawmakers who favor more stringent educational standards for voting as means of eliminating the "negro bloc" in Georgia elections could knock out at least 60.55 per cent of blacks' poll strength by setting the minimum at a sixth grade education.

That would mean they would lose a minimum of 26.19 per cent of all whites eligible to vote, the figures showed.

There are 741,552 Georgians—white and black—over 25 who have had less than a seventh grade education. Numerically, however, this number is almost equally distributed between both races with 345,573 whites and 395,979 negroes.

When House Speaker Fred Hand of Pelham opened his drive last week for a special legislative session to rewrite Georgia voting laws, political observers speculated on how much sacrifice of white votes the Talmadge faithful was willing to make to rid state elections of the negro bloc.

They also speculated whether the new voting restrictions—if written—would include the provisions of an educational requirement bill introduced during the last regular session by Rep. John Bell Towill of Augusta or another written by Sen. A. H. S. Weaver of Macon and introduced in the House.

Weaver's bill, later killed by a Thompson-supporting Senate committee, was intended as a companion to the Talmadge "White Primary" bill vetoed by Gov. M. E. Thompson. Originally, it would have required a $1 registration fee, struck all voters from present registration lists and required them to re-register every two years. The House agreed to the measure after eliminating fee and biennial registration provisions.

The Towill Bill, which would have put the administration of voters' qualification tests in the hands of school teachers, was introduced as a substitute to the White Primary Bill, together with an impassioned plea by Towill for the state not to become Cracker Party-ridden as Augusta once had been. But Hand ruled the measure off the floor because he said it was "not germaine" to the Talmadge-sponsored measure. It was re-introduced later as a substitute to the Weaver Bill but was voted down.

Georgia Demo Split Threatens With Break On 'White Supremacy'

BY BEM PRICE

ATLANTA, Aug. 8 — (AP) — The South was witnessing today a political phenomenon within its solid ranks—the threat of two parties holding separate primaries in Georgia and both claiming the Democratic Party label.

The breach within the Democratic Party's ranks in the Empire State, which developed after the death of the late Gov.-Elect Eugene Talmadge, was widened again yesterday with the issue, oddly enough, being "white supremacy" now versus "white supremacy" later.

The supporters of Herman Talmadge want action now, while proponents of Gov. M. E. Thompson say it should come in due course as the next legislative session.

This issue stemmed from a letter to Gov. Thompson from House Speaker Fred Hand advocating a special session of the Legislature immediately to pass an educational qualification measure designed to bar Negroes from the polls.

IMMEDIATELY AFTER RECEIPT of the letter, Thompson replied that he had advocated such a measure in the 1947 session of the Legislature; that the Hand-led forces, who supported Herman Talmadge, turned it down in favor of one to pattern Georgia primaries after that of South Carolina.

Hence, said the governor, he could see no reason for spending the taxpayers' money to reconvene the Legislature to act on a bill they already had rejected. Thompson vetoed the bill passed in the Legislature to make the Democratic Party a "club" with restricted membership as in South Carolina. The South Carolina law subsequently was declared unconstitutional anyhow.

Immediately after the rejection of the special session call, Hand said he would attempt to have the Legislature convene itself, an act which requires approval of two-thirds of the membership of both houses.

* * *

THE ARGUMENT THEN spread along strictly pro-Talmadge, pro-Thompson lines. Chairman James S. Peters, of the Democratic Executive Committee, aligned with Herman Talmadge. He said his forces would continue planning a separate primary unless Hand's proposal was accepted.

A pro-Thompson spokesman, however, State Sen. R. G. Daniell, of Metter, said he could see nothing to be gained by a special session.

TALMADGE FORCES PUSH 'SUPREMACY'

In Drive Against Negro Voting, They Ask Special Assembly Session to Set New Rules

Special to THE NEW YORK TIMES.

ATLANTA, Ga., Aug. 10—Supporters of Herman Talmadge today pressed anew their white-supremacy campaign in Georgia after urging members of the General Assembly to call themselves into extraordinary session for enactment of a law establishing educational requirements for voters.

The proposed legislation admittedly would disqualify a number of white persons as well as Negroes. However, Fred Hand, Speaker of the House of Representatives and a leader in the Talmadge faction, said that "80 per cent of the colored people in Georgia have never attended school beyond the sixth grade," and that the possibility of great masses of these Negroes voting in a bloc was "causing considerable concern to the people of Georgia who are interested in a progressive and prosperous state."

Obviously seeking to arouse public sentiment for the session call, Mr. Hand further declared that "roughly one-third of our population are Negroes; of all Negroes in Georgia 25 years or older 14 per cent never have attended school, an additional 44½ per cent never attended beyond the fourth grade."

Speaker Hand revealed that he had written letters to all state Senators and Representatives urging them to support an extra-session petition.

His action came after Gov. M. E. Thompson flatly refused to issue a call. The Governor stated that he sponsored a voters' education requirement measure in the General Assembly early this year, but that Talmadge supporters, who were in the majority, killed it and passed instead a white-primary law patterned after that in South Carolina, which a Federal jurist recently held to be unconstitutional.

When the Supreme Court in March upheld his claim to the governorship over that of Assembly-elected Mr. Talmadge, Governor Thompson promptly vetoed the white-primary bill, which provided for the repeal of state election laws and for control of primaries by the State Democratic party as a private "political club."

Most political observers are of the opinion that the Talmadge extra-session efforts will fail. They point out that signatures of three-fifths of the Legislature's members are necessary to convene the Assembly without call by the Governor, and that Thompson adherents during the "Battle of the Governors" early this year numbered only a little less than one-half of the total membership.

Talmadge supporters apparently are relying, however, upon pressure of public opinion for some form of Negro vote control, particularly in the rural areas where the late Governor-elect Eugene Talmadge won almost overwhelming support with his white-supremacy platform in last summer's primary.

Advice to the Rev. Joseph Rabun

Certain political pressure groups, looking about for a candidate, have urged upon Dr. Joseph Rabun, former pastor of the McRae Baptist Church, that he become a candidate for governor in the 1948 primary.

Dr. Rabun hasn't answered.

We hope he will answer soon and that his answer will be a firm and emphatic 'No.'

He is a man of courage and conviction and he is, without doubt, a Christian preacher seeking honestly to apply and practice Christianity. For saying merely that he though the qualified Negro should be allowed to vote and was entitled to just treatment, he was asked to resign from his church. Certainly there was no reflection on Dr. Rabun.

But, he needs to be warned that there are pressure groups which, to accomplish their ends, would not hesitate to seize upon his Christianity and squeeze what they could out of it. They are not interested in him or in Christianity, but in votes.

Without doubt there are many congregations in need of a courageous Christian minister who, during his war service with the United States Marines as a Navy chaplain, saw the best and the worst that is in man.

Keep preaching, is our advice.

The world has many politicians, too few courageous Christians.

Does Ruling Lift Issue From Georgia Politics?

The decision that Negroes should be allowed to vote in Democratic primaries in South Carolina may have important bearing on future political campaigns in Georgia.

When Herman Talmadge held the Governor's chair in Georgia for two months this year, the General Assembly put through an election law designed very much after the South Carolina system. It sought to remove from all State laws any mention of primaries, and to leave the primaries to complete control of the Democratic Party, which would control its membership and exclude Negroes from voting.

When M. E. Thompson, through court action, unseated Talmadge in the Governor's office, Thompson vetoed it.

This action on Thompson's part, that the time was interpreted as giving Talmadge a ready-made platform for his campaign to succeed himself in an election.

Now that the South Carolina system has been ruled against, and a "white primary" issue, Eugene Talmadge, basing much of his campaign would be with stand on the South Carolina system held by his late father, Eugene Talmadge, in action, then died before he could be inaugurated.

Talmadge has made it known that he expects to return to the voters in subsequent campaigns for the Governorship, but may be hard-put to devise a white primary platform with any degree of certainty it will withstand Federal court action.

The man who authored the Talmadge white primary plan, Roy V. Harris, former House Speaker, assailed the South Carolina decision, saying, in effect, it would prevent any strictly white organizations. He said he did not think it would have any affect on public opinion in Georgia on the white primary matter, but he refused to speculate as to whether Federal court action in Georgia against a possible law similar to the South Carolina measure would bring a similar decision. He said he was not sufficiently familiar with the provisions of the South Carolina law.

Herman Talmadge told The Constitution, however, that he did not think a like decision would be handed down in Georgia under the same circumstances, ". . . because the Georgia law was drawn up in accordance with the Primus King decision of Judge Sam Sibley, one of the nation's outstanding jurists."

The Primus King case originated in Columbus on a test of Negro rights to vote in primaries in Georgia. It followed a decision which outlawed white primaries in Texas. The U. S. Circuit Court of Appeals, basing its action on the Supreme Court's Texas case, ruled Negroes could vote in Georgia primaries. Judge Sibley was author of the Circuit Court's decision.

In so far as political campaign material is concerned, Herman Talmadge has two other campaign points he has been bearing down on. One is the county unit system of conducting party primaries, a system he wants to see safeguarded. The other is the proposed State development of Jekyll Island. His newspaper already has launched a vicious attack on the proposal, and he is opposing it at every opportunity.

State Sen. W. T. Dean, of Conyers, one of the opponents of the Georgia election law as it was passed by the Legislature, said he was ignorant of the full provisions of the South Carolina law, but added he thought a Federal court "might" bring a decision like the one in South Carolina, were a similar law in effect in Georgia.

Another opponent of the bill, a member of a Legislature committee appointed to study the South Carolina measure, said the two bills were virtually the same except that certain fraud provisions were left in the Georgia law and not in the South Carolina measure. The lawmaker declined to be named.

JAVERTS OF WHITE SUPREMACY

Victor Hugo's famous masterpiece "Les Miserables," tells the story of how a policeman, Javert, chased Jean Valjean for twenty years in order to capture him. Valjean's crime was that he had stolen a loaf of bread to feed his family. For twenty years Javert trailed Valjean, hounded and persecuted him.

There is an interesting parallel in this story to the way in which honest men in America are often persecuted, driven, hounded for either stealing a loaf of bread to feed their families, or sometimes for simply telling the truth.

White supremacy in the South has always operated with a special technique intended to "get" those who opposed its way of Jim Crow life. There is a code and you are not supposed to break that code. The code has held for a long time. In the present period we are witnessing more and more honest people standing up to say that Jim Crow is out of time and place.

It happened last week that white supremacy got revenge upon the Rev. Joseph A. Rabun, the white pastor of the First Baptist Church of McCrae, Georgia. His congregation voted 67 to 35 to oust him. The Javerts of white supremacy in that church had their way. They penalized the pastor who denounced a Talmadge-inspired white supremacy bill. The Rev. Rabun had a number of times spoken out in behalf of the Negro.

So the policy of ostracism closed in upon the Georgia Jean Valjean. An honest man must be driven out of the fold. Jim Crow is the Sacred Cow. The memory of the late Gene Talmadge must not be sullied.

It is an old and familiar technique—persecuting those who fight for the people's rights. There is one consolation, in this picture. Javert finally committed suicide.

MINISTER SUPPORTED AS TALMADGE FOE

A move to get him to oppose Herman Talmadge in 1948 as candidate for Governor of Georgia was described in an interview yesterday at the Hotel St. George, Brooklyn, by the Rev. Joseph A. Rabun, ousted pastor of the McRae Baptist Church, McRae, Ga.

The ouster came as a result of Mr. Rabun's opposition to the "white supremacy" bill sponsored by Mr. Talmadge in the Georgia State legislature last February. A vote of 67 to 35 to oust him was cast by the Baptist congregation in McRae on Aug. 3. Mr. Rabun said many voted who had not been in the church in years. He said that although Mr. Talmadge was a member of the church, he had not met him.

Mr. Rabun said he would not accept the candidacy because he did not think the movement could gain sufficient strength by then for him to win. But by 1950 he might be willing to accept the candidacy, Mr. Rabun said. He described the move as one by Democrats opposed to the machine control of voting in Georgia.

The new move is supported by liberals, church leaders and ex-GI's, he said. He attended a meeting two weeks ago in Atlanta, Ga., at which the CIO-PAC also was represented. He said "a strong anti-machine political party" was sought to combat promoting the "white primary." He said many Georgia voters were tiring of one-party domination of the polls and were determined to remove illegal controls of ballots. He declared the element of fear must be removed from the minds of Negroes who were deprived of their voting rights and that the Church should take a stronger stand.

...ed Georgia Pastor Looks Over His Mail

McRAE, Ga., Aug. 7—(AP)—The Rev. Joseph A. Rabun spoke out against "white supremacy" and Georgia's ballot-box—and lost his preaching job.

He lost his job three days ago. Today, he counted his returns—several letters agreeing with him and one against.

The Rev. Rabun, more than six feet tall and with black hair, olive complexion and sharp, serious eyes, until last Sunday was pastor of the McRae First Baptist Church here where worshipped the champion of "white supremacy" in Georgia—the late Gov. Eugene Talmadge, and his family.

The 39-year-old minister said there had been rumblings against him ever since last February when he appeared at a public hearing at the State Capitol in Atlanta and opposed a "white supremacy" bill sponsored by Herman Talmadge, then occupying the governor's chair by election of the Legislature. Herman later lost the governor's job through the State Supreme Court.

These rumblings came to a head when the congregation of the church voted to oust Rabun 67 to 35.

Georgians Oust Foe Of 'White Supremacy' Bill

Cited Bible To Hit At Talmadge 'Lily White Primary' Act

McCRAE, Ga.—White supremacy had its revenge upon the Rev. Joseph A. Rabun, white, pastor of the First Baptist Church here whose outstanding member of whose outstanding member was asked to resign by the congregation by a vote of 67 to 35. Rabun stirred the undying enmity of the "wool hat" boys of the Georgia backwoods for daring to speak out against a white supremacy primary bill sponsored by Talmadge during his brief tenure as one of the two competing governors of the state following the sudden death of his father, red-gallused Gene Talmadge before he could take office last year.

Cites Good Samaritan

When the Talmadge-sponsored bill to bar Negroes from the Democratic primary elections in the state was up for a hearing, Reverend Rabun testified against it before the state senate committee.

In citing the parable of the Good Samaritan to support his opposition he declared, "I am no paragon of virtue or piety, but I would immediately forfeit any virtue I might have if I remained silent when my Negro neighbors are being politically beaten, robbed and left for dead."

Immediately after he testified against Herman Talmadge's pet "white supremacy bill," Reverend Rabun was repudiated by his congregation, who telegraphed the temporary governor assuring him that the minister did not speak for the congregation. The pastor offered to resign at that time, but the matter was left in abeyance while Talmadge struggled to hold the high office he had seized by force.

Leaves Church

Later, after Talmadge had been turned out of the governorship by a state supreme court decision upholding the election of M. E. Thompson, he returned to McCrae and transferred his membership from First Baptist to Hampton Baptist Church. Many of his devoted followers left the church with him.

Reverend Rabun openly repeated his opposition to the anti-Negro mania of many of his members, which ultimately led to his ouster.

Civil War Widow Hits at Ga.'s Primary Bill

ATLANTA—Stealing the show at a special Senate Judiciary Committee hearing, Feb. 6, Mrs. James Longstreet, widow of a Confederate General, assailed Georgia's white Democratic vote bill and asked that it be buried so deep that resurrection would be impossible.

Appearing at the final public hearing on the measure, the aged widow blasted the bill as a means of setting up a dictatorship under the guise of white supremacy.

Citizenship Earned

She lauded Dr. George W. Car... and Booker T. Washington, ...

...Union in Savannah. He also ...time unsuccessfully to get the ...Supreme Court ruling tried ...for colored citizens to vote ...in State primaries, by divorcing ...the primary from regular State ...election machinery.

A Fight in Vain

Mrs. Longstreet stated that "monstrous" members of the minority group said that recorded history did excellent work in war plants "has no account of a people and during the war; that soldiers ...es no account of a people fur-fought and died overseas to give Progress made greater progress peoples of other lands the rights Mrs. Longstreet termed the plan which are denied them in their more terrible handicaps own country.

Under Handicap

"I implore you to turn the ...ress Under Handicap scorn of honest men against this ...ongstreet termed the plan as been active in South-infamous bill, repudiate it," she ...us and infamous" and rs since the death of her ...t recorded history around the turn of the ...account of a people and during the last war ...e made greater progress in a B-29 bomber plant. ...more terrible handicaps s in Marietta, Ga.

CIO Assistance

Also speaking against the bill was Robert B. Hawkes, business agent for the CIO's National Mari...

THE PULSE OF THE PUBLIC

Why?

Editor Constitution: And so the House passes the White Primary Bill! Why? Negroes are American citizens, as surely as we, whose ancestors are from other countries. As to the mixing of races if the Negroes continue to vote, it couldn't be worse than it is today! There are not many pure bred Negroes left in Georgia or elsewhere in our nation.

Representatives W. K. Smith, of Bryan, and Stafford Brooke, of Whitfield, seem concerned about the Negroes arriving in two-horse wagons to vote. Are they aware of the fact that this is the only way of traveling of our Negro farmers?

This situation of having Herman Talmadge forced upon the people has made a laughing stock of our beloved Georgia (the most backward state in the Union.)

I voted against Gene Talmadge and I would against his son. The people of Georgia should have the privilege of voting again and as soon as possible. The Legislators were elected by the people, but couldn't possibly vote to suit all the people from their communities.

MRS. J. E. ROWE.

Rt. 3, Covington.

Too Big To Chew

Editor Constitution: The men close to Eugene Talmadge, who knew that he was dying, have played a monstrous trick on the people. Let us stand firmly behind Mr. Thompson as Governor, and maybe we can spit out this horrible thing that gets bigger as we chew it and more and more impossible to swallow, for I predict that if we do swallow it Georgia will become so sick that it may take her a generation to recover from the illness.

K. LELAND FELDMAN.

Austell.

'Bugs' in Constitution

Editor Constitution: The gubernatorial muddle is not the only legal tangle our Constitution can bring. Our greatest need today is to call a State Constitution Convention to be composed of representative citizens in all walks of life, men who work with their hands as well as those who primarily use their brains. Let's substitute a real State Constitution for the present imperfect one.

W. G. HASTINGS.

Atlanta.

Arnall's Red Wagon

Editor Constitution: The New Constitution of Georgia is Ellis Arnall's little red wagon. He's the man that went over our State begging our people to vote for it. It was adopted, and now that our Governor has been elected in accordance with it he is whining like the schoolboy who took his ball and bat and went home because he could not be the manager of the team.

J. W. CAGLE.

Ball Ground.

Competition

Editor Constitution: There's a rosy aspect to the White Primary bill. Its passage might incite the fair-minded and justice-loving citizens to join another political party and run a little competition to the old school. With the County unity system voted out and the Negro vote assured—election day might really see an upset. Let's bring competition, the backbone of America, to Georgia.

SHIRLEY JEAN MULLEN.

Ashamed

Editor Constitution: I'm writing this as I really feel and I'm sure other boys from Georgia that are here feel the same way. That is about the cross-up in Governorship of our State.

Up till this happened we could talk about Georgia and feel just as proud as boys from other States. Now we are growing ashamed of our once highly praised Georgia.

While on liberty with a gang of boys watching cars go by, a Georgia boy now, never says "that one has a Georgia tag." While the other boys are pointing out their home State cars.

We have found that there is nothing we can do about this, as yet. We still keep hoping though.

A MARINE.

Cherry Point, N. C.

NEGROES BARRED AT GEORGIA WHITE PRIMARY BILL HEARING

Daily Worker

New York, N. Y.

By Mary Southard

ATLANTA, Feb. 5.—Two Negro workers representing the CIO Mine, Mill and Smelter Workers of Savannah were excluded from testifying against the Talmadge white primary bill at a public hearing of the special state Senate judiciary committee at the State Capitol.

When the Negro trade unionists, Fred Anthony and Henry Bullard, tried to enter the crowded Senate chamber with NMU port agent Robert Hawks, also from Savannah, they were told no Negroes were being allowed to testify against the bill on behalf of Georgia's 1,338,000 Negro citizens. A second request by Hawks that the Negroes be allowed to sit as spectators was also denied.

Thurs 2-6-47

The committee attempted to limit the time of white speakers opposed to the bill to three minutes although Roy Harris, the power behind the Talmadge throne, had spoken for an hour and a half in favor of the bill the day before. Port agent Hawks led a successful fight against the limitation.

Mrs. Leonard Haas, president of the Georgia League of Women Voters told the committee:

"This white primary bill puts every Georgia voter in jeopardy. It opens the door to dictatorship by placing too much power in the hands of one man."

R. W. Hayes, young veteran of World War II, declared: "The Negro was good enough to carry a gun in the war and pay taxes, he should vote." Mrs. H. H. Tortti, wife of the vice-president of the Atlanta Consititution, said that the pending bill would disfranchise Negro and white alike, and that it was a "Heil Hitler" bill.

The Lagrange Ministerial Association sent a message to the hearing branding the bill as "Unchristian unwise, undemocratic and unconstitutional."

The main weakness in the position of most of the white opponents to the bill was expressed in the testimony of Paul Atkins of Cartersville: "I'm not for the right of Negroes to vote," he said. "But I'm opposed to this bill because it would put too much power in the hands of one man, the Governor of Georgia."

Thurs 2-6-47

This failure on the part of many white liberals and trade unionists to recognize that defense of the Negro's right to vote is essential to the guarantee of everyone's right to vote accounts for the slow development of a strong united opposition to the Talmadge machine.

On Thursday opponents of the bill have the floor again. It is reported that Charles Gillman, Georgia CIO director, Lucy Mason, CIO publicity director, and Ropert Hawks, NMU, will speak.

The bill will be reported back to the Senate by Friday or Saturday for final action early next week.

The 'White Primary' and Its Portent

This is the week which will doubtless see repeal, in the beguiling name of a "White Primary," of all the legal safeguards which have been placed about Georgia primary elections.

37e(2)

This week will mark, unless we are very much in error, the beginning of ring-rule in Georgia the like of which the nation has not seen since the death of Huey Long.

The House has passed, with virtually no debate, the so-called White Primary measure.

In the Senate, 23 of the 51 sections repealing laws regulating primaries have been okayed, but not without healthy opposition which has resulted in considerable public enlightenment.

Once the remainder is passed, the measure will become effective, both claimants to the governorship having signified their intention of signing it.

That will mean that the control of our voting system will pass into the hands of a small clique of politicians, it will mean that election frauds can no longer be prosecuted, it will mean that the groundwork has been laid for a political machine which can operate brazenly without fear of the courts.

It may also, of course, signal the end of the one-party system in Georgia.

As The Macon News so well has said, "it begins to appear that the primary is on the way out in Georgia and that the real tests of political strength hereafter will be in the general elections, with Negro voters voting in unison and wielding the balance of power. That is precisely the thing that the advocates of the white primary bill are inviting. In all, this white primary bill is about as stupid as any legislation that could be devised. It is fundamentally dishonest, being a deliberate attempt to circumvent and evade the Constitution of the United States. It is destructive of the purity of elections, because it scraps the safeguards built up on the experience of the years. It makes it easy for a coterie of corrupt politicians to control Georgia. It narrows the base of democracy by excluding from participation in democratic procedures a third of the population whose latent capacity for intelligent citizenship is immense. And, finally, it will tend to develop the very evil at which it professes to be aimed, namely, domination by a Negro bloc, acting in unison on the plainest principles of self-defense."

That is the "White Primary" bill.

That is the legislative monstrosity which, motivated by malice and perpetrated through political cunning, bids fair to throttle democracy in Georgia for at least the next decade.

Representative Hurt Explains His Vote

Rep. Paul Hurt, of Polk County, voted against the measure to repeal all of Georgia's primary laws.

In the current issue of The Rockmart Journal he explains his vote to his constitutents.

Because it is such a lucid and logical indictment of the fraud currently being perpetrated in the Georgia General Assembly in the name of a "White Primary," we reprint it herewith.

"A majority of Georgians want a White Primary," declares Rep. Hurt. "Most of them, I believe, agree with me that this can be obtained without creating a political oligarchy, headed by former Speaker Harris, to dominate our State. It was very significant that as soon as the primary bill had been forced through the House, a measure was introduced to strip the Law Department of public control through its elected head and make it an adjunct of the Governor's Office, and to deprive the Attorney General of his authority to examine into charges of irregularities in the operations of State agencies. The introduction of this measure by House leaders who wanted the 'primary bill repeal' passed hurriedly and with a minimum of study by members does not inspire confidence.

"The people of Polk County should familiarize themselves with certain provisions of the Harris-written primary measure. First of all, it repeals outright the Neill Primary Act, which provides for the county unit system and for run-overs in races for Governor and Senator. Second, it repeals the laws against fraud in primaries, including the compulsory recount measure that was passed in 1941 at the urgent request of Eugene Talmadge, who declared that, without it, primaries in Georgia could be manipulated to thwart the will of the voters. Third, it permits an Executive Committee meeting in Atlanta or somewhere else to decide what voters in Polk County can vote in our local party primaries, and gives control over every local and State nomination to the organization now dominated by Roy Harris, whose Cracker Party was recently defeated in Augusta.

"Personally, as your representative, I was most concerned about the possibility that the Legislature was turning every ounty and town in Georgia over to a handpicked clique outside the community. Some of the sponsors deny that the bill actually will do that; others admit that it will. It is a very long and complicated bill, but it appears to give the State Committee absolute control over every local group.

"Finally, the measure does not provide for a 'White Primary' but it may ruin any chance for an honest primary. It is so drawn that if the United States Supreme Court should hold that Negro voters can vote in the primary, we should find ourselves without the protection of laws against ballot box stuffing and without a county unit system.

"In 1946, when I voted for Eugene Talmadge for Governor, I certainly did not mean for that vote to be counted for one in favor of turning the Democratic Party over to the Cracker machine and Roy Harris. I do not believe that any other Georgian who voted as I did meant that, either.

"It seems to me that the group who is trying to take over the affairs of our State do not want honest primaries and do not want their acts subject to investigation by the public officials chosen by the people at the polls. That is contrary to everything that Georgians believe, and I believe it is contrary to the wishes of the people of Polk County who voted for me as their Representative and whom I am honor-bound to serve."

Representative Hurt capably and, we believe, fairly has stated the case of those who fear the repeal of all the safeguards which have been placed about our primaries down through the years.

While there have not been enough men of his vision to prevent the short-sighted action Georgia is now taking, he and his kind have performed a great public service in at least putting the public on guard.

GEORGIA EDITORS SAY:

About the White Primary

(HOMERVILLE NEWS)

When the Neil primary laws were passed in Georgia, it was done because of public demand and indignation at the wide-open conditions prevailing in our primaries. The Legislature is now about to repeal these laws which protect the people's ballots, and nobody—yes, nobody—can forecast what further disgraceful shenanigans will happen in Georgia's politics. We have had some pretty cheap exhibitions even with these laws but without any laws whatsoever all Georgia will be subject to wild conditions which could completely destroy the Democratic Party primary as we know it today.

(EDISON NEWS)

We congratulate the Senate for slowing down the "speeding" white primary bill. It needed airing. A bill that would remove all legal safeguards from the ballot box seems wrong on the face of it. No doubt, the sponsors of this bill wanted to speed it through before the people had a chance to look into all its ramifications. Is this bill's real purpose to keep the white primary or to perpetuate the Talmadge-Harris regime?

(MARIETTA JOURNAL)

Some good may come out of this Georgia political mess where demagogues and mental mediocracy now hold sway and harass the people with their puerile schemes. The chicanery of the past few weeks has made many people think and they now realize how helpless they are when a few shysters get control of their traditional political party, and take control of the government.

Out of this muddle may come more interest in public affairs by citizens who in the past have not bothered to take a part in the selection of public officials.

There might even develop a two-party system in the State, which would be the most fortunate thing that could happen from many standpoints. The State has suffered from the one-party system for nearly a century. It is a rare thing that such a system attracts statesmen to public service. It is about time the people of Georgia opened their eyes to the progress the world has made in human relations during the past fifty years. At least we should not head back toward the "dark ages" of our political history.

(THOMASTON TIMES)

The repeal of the primary laws in Georgia as the legislature is now in the process of doing will do more to disfranchise voters, both white and black, than anything that ever happened in the State. If the law is repealed as it now stands there will be no safeguards left around the ballot and the crowd in power will be all powerful. They can and will disfranchise every voter not in line with their faction. The Neil primary law was passed to cure just a situation as will exist again if it is repealed. Many of the older citizens of the State can remember the political stealing that went on in the State convention when the will of the voters was thwarted time and again.

The object, so it is said, is to disfranchise the Negroes but we hope the people will not be misled by such talk. It will create a political machine which can and will control the politics of the State until the voters rise up and start a revolution. It will bring back the old days of rotten politics when the biggest crook was the most successful one. It is a vicious piece of legislation and the good people of Georgia will rue the day it was passed by the Legislature. It will disfranchise more whites than Negroes.

(SYLVESTER LOCAL)

The white Democratic primary scheme will probably result in two Democratic parties in Georgia. A primary, whether exclusively for whites, blacks, reds or any other color, will be a farce without laws governing it. It is easy to talk about a white primary but setting up one that will get by the Supreme Court is something else.

AUGUSTA CHRONICLE)

Those who are shrewdly and assiduously attempting to stab democracy in the back, and impose a political dictatorship on Georgia in the guise of a white primary law, are making every effort to divert attention from the evils of the so-called "White Primary Bill," in its present form, by pretending that no such evils exist.

But they cannot fool those who have made an intelligent study of the bill; the evils cannot be written off with a mere flourish of the hand or a few well-chosen words. Senator William Dean, President Pro Tempore of the Senate, has perceived the underlying purpose of this vicious piece of legislation, and yesterday told the Specal Senate Committee, considering the bill in frank and blunt language that the measure, as now written, is a "no primary bill" and could disfranchise any one at the whim of a few individuals. . . .

Ga. Churchmen Hit White-Vote

ATLANTA, Feb. 26.—The support denominational Atlanta Christian Council denounced the white primary law Saturday as a violation of the "American principle of no taxation without representation." The resolution came as Negro organizations throughout the state mapped action against the Talmadge approved bill.

At a meeting of over 100 Negro representatives, a committee of Georgia members of the National Association for the Advancement of Colored People was named to proceed with legal plans against the bill. Negro leaders have pledged to raise $10,000 to finance action in Federal courts to challenge the constitutionality of the measure.

Among other groups participating in the meeting were Georgia Association of Citizens Democratic Clubs, the Georgia Civic and Political League, and Young Men's Republican Clubs.

One course of legal action would be to petition in the U. S. District Court here for a declaratory judgment as to the constitutionality of the white primary law, and a plea for an injunction to restrain Democratic officials from barring Negroes. The other would be a case based on refusal of an election official to permit a Negro to vote in the next primary.

Ohio Jurist Defender Raps Georgia White Primary

CLEVELAND — (ANP) — "If I were governor, I would never return a man to a state whose legislature has passed the so-called white primary law," said Municipal Judge Perry B. Jackson here last week, in denouncing the recent passage of a white primary measure in Georgia to deny Negroes the right of suffrage.

Judge Jackson, Cleveland Negro jurist, made this statement as he took under advisement, pending the receipt of a probation report, the case of Robert Moss, 49-year-old fugitive from a three to five year prison term in Atlanta. Moss was appearing in court to fight extradition procedure that would send him back to Georgia.

The fugitive came to Cleveland last March, after breaking jail where he had been incarcerated on a charge of stealing an alarm clock. Denying his guilt, he blamed his arrest in Cleveland upon an informer, whom he said received a $25 reward from Georgia authorities. While in Cleveland, he has been employed by a barrel manufacturer. Officials of the firm say he was a "dependable, honest employe" who would return to work for them anytime.

A Statewide Purge

37e(2) Ga.

The most far-reaching and dangerous bill that has been passed by the General Assembly is not the much publicized "White Primary" law, as discriminatory against the Negro as it is. We consider the so-called reregistration bill that has already passed the House of Representatives and is now before the Senate, one of the most threatening bills to welfare. Public hearings are scheduled for Tuesday but since Negroes were denied a chance to speak on the white primary bill we doubt if any leaders will attempt to speak on this pending reregistration bill, feeling its passage is certain any way. Daily World

Commenting on the re-registration bill sponsored by the Talmadge-Harris faction, Morgan Blake, columnist for the Atlanta Journal, recently made this significant statement: Atlanta, Ga. Sun. 3-9-47

"One can feel sure that Negro registration would be purged to the extent where it would exert very little potency in any election. This statement confirms the fears already expressed by Negroes that the bill is primarily aimed at them and if it becomes law they will find themselves effectively disfranchised from participation in both primary and general elections.

The State Constitution adopted in Nov. 1945, as interpreted by the attorney general, provided for a re-registration beginning in Jan. 1946, throughout the state, except in Fulton County, where the voters' lists had previously been brought up to date.

At intervals of five or ten years we can understand the need, perhaps, of eliminating from the voters' lists the names of dead persons or citizens who have moved out of the city. But we cannot understand the necessity of making a clean sweep of the voters' lists within less than a two-year period, if not for some sinister purpose.

Considering the fact that the Talmadge forces are definitely in control of the legislature and they have openly stated to the world that the Negro should be denied the right to vote in the primary elections—the only real elections held in the state for the past many years—we think, we are justified in viewing with alarm this bill which would clear the voters' lists. Daily World

The plan. apparently, is simple. Get all the Negroes off and then permit only a fraction of our present record number to get back on. With this accomplished, even with the right to vote in the primary we could not be strong enough to be effective. Moreover, we would not be a strong number of voters without the primary and a threat against the primary nominees in the general election. Atlanta, Ga.

Last June the late Eugene Talmadge conceived and advocated in his newspaper the arbitrary challenging of all the Negro voters. By the time of the July 17th primary his supporters had challenged Negro voters in, perhaps, 75 or more counties, including Fulton. We estimate over 20,000 Negroes were disfranchised through these purges. Sun. 3-9-47

They worked so well and successfully, that, now the legislature has decided on a statewide purge. This is a challenge and we must find a way to keep it from becoming effective if possible. It is aimed primarily at us. Without the right to register we cannot vote even in a general or special election. In time we will become completely defenseless and helpless. We must act as soon as it becomes possible.

White Primary Bill Facing Tug of War

Constitution Atlanta, Ga. Mon. 2-3-47

By M. L. ST. JOHN

Talmadge leaders in the Senate today may try to pull the White Primary Bill from a Thompson-dominated committee and recommit it to a group favorable to Gov. Herman Talmadge, political observers said.

If the maneuver is successful, it will halt a proposed series of four public hearings this week, and speed action on the measure.

The Special Judiciary Committee, composed largely of friends of Lt.-Gov. M. E. Thompson, has announced public hearings for 2 p. m. Monday through Thursday.

Supporters of the measure will be heard Monday and Wednesday. Opponents will be heard Tuesday and Thursday.

Talmadge, in a week-end radio broadcast, mentioned something about Thompson "stacking" a committee to kill the White Primary Bill. Thompson replied that he did not pick the members of any committee, did not specify which committee should get the bill, and added that all Senators are "honorable men, else they would not have been elected by their people."

Talmadge encouraged supporters over the State to put pressure on their Senators. By radio and letter, he informed them that both the White Primary Bill and the Appropriations Bill are now in the Senate. "See your Senator," he urged his followers.

Sen. Everett Millican, of Atlanta, Fifty-Second District, has introduced an educational qualifications bill. This is virtually the same measure which Rep. John Bell Towill, of Richmond County, offered in the House last week as a substitute to the Harris White Primary Bill. Speaker Fred Hand ruled it out of order in the House as a substitute.

A special committee named by the Senate last week to study so-called White Primary measures in other states will make a report Monday. The committee was scheduled to visit South Carolina and Louisiana and see how the white primary is working in these states.

While the Senate has scheduled public hearings on the White Primary Bill, which already has passed the House, the House has one public hearing on docket and probably will announce others this week.

At 2 p. m. Wednesday, the Municipal Government Committee will have a hearing on a Home Rule Bill. The measure was drawn by Rep. Charles Gowen, of Glynn County, and sets up optional systems of home rule for cities and towns.

New tax measures to raise approximately $38,000,000 in new funds to finance the State services expansion program will be given public hearings, according to Chairman Herschel Lovett, of the Ways and Means Committee. However, no dates have been set for these hearings.

A bill proposing establishment of State liquor stores may be withdrawn from the Temperance Committee and recommitted to the Ways and Means Committee, which has the responsibility of finding funds to pay for the new spending program, some observers said. The major tax bill thus far introduced calls for a sales tax. Another bill would impose a tax on soft drinks.

J. C. Winn, McDuffie County Ordinary, jumped ahead of the Superior Courts by rendering a decision involving the gubernatorial dispute Saturday. Winn refused to honor an extradition request signed by Lt.-Gov. Thompson seeking to return a prisoner to Seattle, Wash. Winn ruled that Thompson is not Governor and is therefore not authorized to issue papers. 37e(2) Ga.

The Governorship dispute goes into the Superior Courts this week. A petition by Talmadge's Revenue Commissioner Charles Redwine seeking to force State Treasurer George Hamilton to accept revenue collections will be heard by Fulton Superior Court Judge Almand here Thursday morning. Fulton Superior Court Judge Walter Hendrix will hear Thompson's suit to oust Talmadge from the Governor's office Friday at McDonough. At the same time, the Fulton National Bank's case against both Talmadge and Thompson seeking to determine who is the legal Governor and who can draw on the Executive Department funds, will be heard at McDonough. Mon. 2-3-47 Constitution

Both Thompson and Talmadge have agreed to abide by the courts. Regardless of the decisions of the lower court judges, at least one of the suits is expected to move swiftly to the State Supreme Court. Some observers expect a Supreme Court decision by March.

THE PULSE OF THE PUBLIC

Constitution

Why a White Primary

Editor Constitution: In Ralph McGill's column of Sunday, Feb. 2, you give me credit for having some part in the passage of a White Primary law. 37e(2) Ga.

So little has appeared on the basic necessity for preservation of white domination of our Government, it is possible that I may be able to contribute in some measure to the understanding of the fundamental and underlying principles of this question. Ga.

The question of a White Primary goes much deeper and is broader than the question of white and black. It is most unfortunate and regrettable that it has been given a white and black implication in the South.

The ultimate and final question of whether or not our constitutional democratic government is to survive or perish is involved.

Different races are different in their mental processes to just as great extent as they are different in color and different in features. In all the centuries, beginning with Athens and coming down until today, there has never been a democracy worthy of the name except among people of the Caucasian race. Atlanta, Ga.

Even the Caucasians have never been able to maintain a democracy as long as 200 years on a stretch. The nearest thing to a democracy that has existed through the centuries is Switzerland and the Swiss Cantons beginning in 1291 A. D.

The Semitic peoples have produced great kings, great merchants, great bankers, great lawyers and great humanitarians. They have never produced a workable democracy, and never can, because their mental processes naturally lead them to centralized power and totalitarian ideas. The exception to this rule is the Arab, who is a wild man with his hand against every man and every man's hand against him. Mon. 2-3-47

The Hamitic peoples have never produced a democracy.

The Latins have never produced a major democracy. France is the nearest they ever came to it, but their hot Latin blood and their proneness to debauchery and disorder have prevented them from attaining to a major democracy.

The yellow people, the brown people and the blacks are mentally unfit for directors in our form of government. You cannot change these natural and God-ordained mental processes.

The political machines in our large cities are a necessity because the mixed and mongrelized races in those cities cannot be governed except by a totalitarian form of government. A machine is simply a form of totalitarianism.

When, and if, our voters' lists contains a large percentage of voters of other than Caucasian stock, then our constitutional form of government becomes impossible and unworkable.

We can prevent this in Georgia by means of a White Primary.

The great evil of bloc voting is simply the outward evidence of the incapacity of individual democratic ballots. this natural difference in voters.

TOM LINDER.

Atlanta.

Technicality

Editor Constitution: I bitterly resent the crime and the insult

cast individual democratic ballots. not the only one.

The Negro is not to look to our large

You have but to look to our large cities and other races

Latins, Semitics and

congregate to see the same evil foe

to see the

for a time by means of a White

of democracy.

No educational test will discern

which are being perpetrated against the people and the State of Georgia in the attempted stealing, of their governorship by Herman Talmadge and his storm troopers.

HOWARD B. CLAY.

Talmadge Primary

Editor Constitution: The so-called "White Primary" law, if passed, will be the blackest law on the statute books of Georgia.

This bill was not written to bring about a "white primary" in Georgia, it was written to bring about a "Talmadge primary" in Georgia. As a matter of fact, if Georgia can't organize a second party to nominate a candidate who can beat the "Talmadge nominee" in a general election, then I will believe what the rest of the nation is saying about Georgia. However, I still have faith in the good people of Georgia and I don't believe that they will let King Herman dictate to them when they go to the polls to vote.

The word "Democratic" is a big word. It means a lot to freedom-loving people everywhere and it has been stretched to ridiculous extremes to meet the needs of many demagogues who wish to prove that their bigotry and prejudice is justified, but I don't believe even King Herman can make the good people of Georgia believe that it means barring a citizen from the Democratic Primaries merely because of their race or color, therefore there is actually no such thing as a "Democratic White Primary." A so-called "White Primary" would be "undemocratic" in any dictionary.

The Supreme Courts of the land have condemned the so-called "White Primary" as unconstitutional, as the Constitution guarantees every person his equal rights. The reactionary die-hards, namely, the Talmadge and Harris forces, have tried to defy the courts. They tried to get Gov. Arnall to do so, but being an honest man, he naturally refused. The high courts will condemn it again, again and again until it is banished, not only from Georgia, but from the nation.

HURLEY W. BIFFLE.

Buford, Ga.

WASHINGTON NOTES

Behind the Minority Rule in Georgia

By Rob F. Hall

LAST WEDNESDAY THE GEORGIA House of Representatives adopted by a vote of 133 to 62 the Talmadge white primary law. The measure is aimed at barring Negroes from participation in the Democratic primary election, the only election which to date counts in Georgia. It is a bill framed in the spirit of Ku Kluxism. It is as Hitlerite as the Nuernberg decrees. It gives me acute nausea to think about it.

The truth of the matter is this bill didn't have to pass. It could have been defeated. The forces of progress in Georgia are not weak, despite their present apparent lack of leadership. On the contrary, they are strong and growing stronger every day. This is precisely the reason why the Georgia Power Company, the Trust Co. of Georgia, the KKK and the Talmadge faction have resorted to such desperate means.

I mean this very literally. It should never be forgotten that "Ole Gene" Talmadge lost the election last summer. His popular vote was about 25,000 less than that of James V. Carmichael, the candidate supported by the CIO, the Negro people and the Arnall progressives. It was only through that corrupt and devious institution of the county unit system that Ole Gene was proclaimed governor.

And it was only by an equally corrupt and equally devious business—the vote in the General Assembly — that son Herman was proclaimed governor upon the death of "Ole Gene." I talked to one member of the legislature on my recent trip to Atlanta who told me of one instance after another of Talmadge's henchmen bribing legislators. That and that alone enabled the Talmadge forces to transform a two-vote lead into an 87-vote majority.

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IF MY EXPERIENCE in Georgia, my conversations with many people, can be relied on, the vast majority in the anti-Talmadge camp were against the white primary law. Some were against it because they recognized the Negro people as an ally in the fight for progress. They want the 130,000 votes the Negro people cast for Carmichael on their side. Some opposed the bill purely because it will undoubtedly result in the disfranchisement of many whites.

Still others were against it because it tends to turn over to the Talmadge clique dominating the state executive committee complete control of the Democratic Party and its primary. Totaled up, there were enough forces to give Herman and Roy the beating of their lives.

The reason they failed is because they feared to stand up and fight on the basic principle of democratic rights. They were afraid to defend the right of Negroes to vote in the Democratic primary. They hadn't the guts to condemn the county unit system for the vicious thing it is.

Unfortunately they took their lead from M. E. Thompson, the duly elected lieutenant governor whose claim to the governorship is supported by the progressives. Thompson, on advice of that old Kluxer, E. D. Rivers, endorsed the white primary law and chided the Talmadge forces for not passing it sooner.

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THE RESULT WAS that a majority of spokesmen for the anti-Talmadge camp, in opposing the white primary law, declared they were for the white primary and the country unit system "in principle."

The rest of them, speaking in thousands of spirited protest meetings of Georgia citizens throughout the state, attacked Talmadge's strong arm methods but kept silent on the greatest Talmadge crime.

It is unfortunate that the Georgia labor movement with a few honorable exceptions, felt it the wisest course to lay low during the fight on the white primary law. At this point, neither the CIO nor the AFL have played any positive role in fighting the Pretender's bid for power nor his drive against the Negro people. Time will undoubtedly show this to have been a seriously mistaken policy.

VOTERS' LEAGUE

Disfranchising The Voters

A bill to abolish permanent registration for the general election in Georgia is being considered by the House (House Bill 96). The people of Georgia, if this passes, will be forced to reregister every two years and will be put to the unnecessary expense of a dollar every time they reregister. If this fee does not cover the cost of the system, county funds are to supply the rest. This will result, unquestionably, in reducing the number of voters, which is exactly what professional politicians want.

FOR THE PAST two years the League of Women Voters has repeatedly pointed to the dangers involved in repealing all laws regulating primaries.

The direct primary was developed as the most democratic method of nominating officials for public office.

We have studied the bill. We have listened carefully to the debate in the Legislature. We see that the direct primary, instead of remaining a democratic instrument through which the will of the people is expressed, will inevitably become an instrument for the building of a tightly controlled political machine.

BUT RUINING the primaries, it seems, is not enough. A companion bill has been introduced which will try to destroy the general election, too.

Georgia has long had a permanent system of registration. The "White Primary Bill" destroys this as far as the primary is concerned, because it would permit party bosses to make up the primary registration lists from among their friends.

Now it is proposed that permanent registration for the general elections be thrown out, too, and biennial registration substituted.

Biennial registration is unnecessarily expensive. It is cumbersome and inconvenient. It is a deterrent to voting.

SUCH A SYSTEM discourages the independent voter. But it is a positive asset to the strong political machine, which sees to it that its controlled voters are always registered, while the independent voter neglects or forgets to register and loses his vote.

The bill destroying permanent registration system will probably be voted on in the House next week.

Both bills are to be considered by the Senate.

'Whiteness Universal'

Editor Constitution: I understand and appreciate the current insistence for the white primary. It is in strict accordance with God, nature, man and society. The cursed blacks of the sons of Ham (praise God that they are stigmatized for the world to see) must wear their badge of inferiority and sin until the final crash of the day of doom. The Supreme Intelligence, who ordered this world out of formless void, who created man from base but potentially majestic clay, has decreed that the leopard cannot change his spots. Black must remain black, and it cannot be made white. Georgia leads the nation in this simple but important perception. And I am proud and happy.

But more important are the thought, speech and action of white adults. Our minds and souls should be filled with whiteness, because whiteness is the lodestar that will bring us to the fulfillment of all our desires. Color, in any form, whether in people or in things, must be condemned. Hence, our Southern scientists and scholars must prove themselves worthy of their race and section by developing a variety of shades from bright cream to the purest white. Then, no longer will we have the absurd contradiction of Mr. Harris, pleading for white supremacy, dressed in a black suit. Only with the thoughtful and consistent action of our leaders can we achieve the pure whiteness of the North Star in a brilliant Summer sky.

God is our teacher. Beneath us He placed the black, putrid dirt; about us He planted the hills and valleys with the varied colors of Spring and Fall, but only above us did He hang the pure whiteness of the ascending cloud.

Let us begin moving now toward whiteness universal.

HENRY THOMAS.

Atlanta.

Atlanta.

why did he call a convention in Macon last week and call it a Democratic convention, which he knows is not legal as every one else knows. Why is he firing all Gov. Thompsons speech in Ga and at his homecoming the Talmadge men—they have as accomplished a lot more. If he had felt has, as long as they do their duty. way at the start he would He is not Governor, he is just act- ally wanted peace why did there will be any peace for him as o the white primary bill? He long as he has "Little Ed" as his n several occasions he would advisor.

W. A. MORRIS.

Negro Poll Ban Voted By Senate In Georgia

ATLANTA, Feb. 18.—(AP)—The Senate passed the House white primary bill 36 to 15 today but however, on the fraud amend- almost immediately a new Sen- ment on the grounds that it ate-House tangle developed over would make the white primary failure of the House to agree to plan vulnerable to Federal court sweeping Senate amendment attacks. against election frauds.

The House promptly concurred in Senate amendments to retain

37e(2) 1947

Georgia

M. L. ST. JOHN

Ben Garland, A Real Independent

Let's talk about Rep. Ben Garland, young Jackson lawyer. His flow of language is picturesque, amusing at times, vitriolic at times, and effective. Although a freshman, he doesn't pop off all the time without having information at hand, nor does he sit out the first two or three sessions silently for fear of being considered presumptuous. Ben is independent in the most refreshing sense of the word. With the Talmadge-Thompson lines cutting deeply in the House, he considers issues on their merits and votes without regard to factions. Ben is proud of the fact he served as a private in World War II. They tell a funny story about that. He was being groomed for Officers' Training Camp when the Army saw this fellow—fresh from Georgia hunting trips—cutting holes in the bullseye every time he shot a gun. So they shipped him to the front lines in Italy to shoot a gun, instead of making an officer of him.

You've heard a lot about six young veterans demanding a special gubernatorial election. Ben said this idea was his brain-child. He still thinks that the people ought to say who they want for Governor right now. Personally, Ben preferred Herman Talmadge to M. E. Thompson all the time. However, he said that if Thompson had given a satisfactory answer to the special election proposition Thompson would be in the Governor's chair today. Garland voted for Talmadge in the Legislature.

Came the Bill Then came the White Primary Bill. The 32-page measure, as drawn by former House Speaker Roy Harris, was handed to the solons and they were asked to pass it in one day. Ben hopped up. "I won't be shoved around by Roy Harris," he shouted. "The people of Butts County can't understand bills as quickly as can Roy. We need more time to study this measure."

His speech helped cause Talmadge Floor Leader Robert Elliott to agree to postpone action over the weekend. The Thompson boys warmly greeted Ben into the fold, but he stopped their overzealous celebration by taking a crack at former Gov. Rivers, a Thompson adviser. When Monday came, some Thompson men moved for adjournment until the courts could determine who is Governor.

Here Ben left them: "I said wait until Monday to consider this bill. It is Monday now. I am ready to consider it."

Ben was a final speaker on the White Primary Bill. Many opponents settled down to listen to him let fly at the Negroes and demand a "white man's country." They were surprised. Ben didn't chant the dyed-in-the-wool Talmadge song of "nigger, nigger, nigger." Ben didn't follow the lead of some enemies of the bill, who tried to outshout the Talmadge boys in words against the Negro, but who denounced this bill by Harris as tricky. In an atmosphere where most everyone was "against the Negro" but differed only in types of bills, Ben came right out in favor of the Negro's rights. He explained how it happened:

"I fully intended to vote for the White Primary Bill," Garland said. "My people expect me to vote for it. I believe in white supremacy. But last night I wrestled with my conscience. I remembered when I was in a foxhole in Italy that the cry back home was, 'If they're old enough to fight, they are old enough to vote,' and the 18-year-old voting law was passed. I remembered dropping in at the Veterans' Hospital at Augusta and finding there Georgia Negro boys who had been wounded—even as the whites had—serving their country on the battlefronts. I decided I could not face my Maker with a clear conscience if I voted for this bill. If the Negroes are good enough to fight, are they good enough to vote?"

Swan Song? Ben's speech had a sobering effect on the taut-nerved solons. In his talk, Ben bitterly denounced a minister-Representative who had spoken for the White Primary Bill, and asked this preacher: "Preacher, did you clear your talk with God?" The next morning Ben meekly apologized for his bitter statements against the minister.

Ben likes neither former Gov. Arnall, former Gov. Rivers, nor Roy Harris. His votes follow no factional lines. Ben figures Georgia won't like his independence.

"I probably won't be back up here again," he concluded, as he spoke against the Harris White Primary Bill. "I am no politician. I probably lost the city folks' vote when I supported Herman Talmadge, and now I am losing the country folks' vote by fighting this bill."

That's Ben Garland, folks.

Foes Call Primary Bill Tyrannical, Dictatorial

By JOHN COURIC

The Harris White Primary Bill was blasted as "tyrannical, dictatorial and leading toward Georgia's political domination by a small group" Tuesday as citizens who are against the bill had their say before the State Senate's Special Judiciary Committee.

The hearing, limited Tuesday to white opponents of the measure which would disfranchise Negroes in Georgia, saw strong opposition from the League of Women Voters and was marked by a flurry of excitement when two Negroes, who said they represented the CIO National Maritime Union, were denied admission to the Senate chamber.

A red-haired white man, who gave his name as Robert E. Hawkes, business agent of the union at Savannah, was spokesman for the Negroes who waited outside the chamber. They were accompanied by another white man from the union who gave his name as James E. Williams.

The Negroes, who gave their names as Fred Anthony and Henry E. Bullard, later left the Capitol, when advised to do so by Night Chief A. J. Holcombe of the Atlanta Police Force. Several Senators expressed resentment at what they considered heckling on the part of the union men.

About 10 other Negroes also were refused admittance to the hearing.

Meanwhile, Gov. Herman Talmadge announced he would appear before the Committee today when the hearing will be for proponents of the bill. The series of hearings will be concluded Thursday when those against the measure will be given another opportunity to present their views.

Highlighting opposition to the Harris Bill was a speech by Mrs. Leonard Haas, President of the Georgia League of Women Voters. Mrs. Haas presented the viewpoint of the League.

Slowly and analytically, she outlined the League's objections to the measure and replied to statements made previously by those who favor the Bill.

"This Bill puts every Georgian's right to vote in jeopardy. This Bill opens the door for a dictatorship. The Bill reaches down and repeals local laws, ordinances, charter amendments, etc. Confusion will result as to which local laws are in effect, and which are not," she declared.

The Harris Bill "will not circumvent the United States Supreme Court's ruling declaring that Negroes must be allowed to vote in primaries," Mrs. Haas asserted.

"The proponents of the Bill fail to point out that opinions of judges of the U. S. Supreme Court—the highest court in the land—have implied that the Federal courts will enforce the right of the Negro to vote in whichever election is the real election—the General election or the Primary," she said.

"In all probability, the time that the Negro can be kept from voting in the Primary will be short, no matter what is done. In the meantime, if this Bill is passed, the ballot of every voter is endangered because too much power has been put in the hands of one man," she continued.

Mrs. Haas stated some have said no other solution has been offered to Georgia's problem concerning Negro voting. She then pointed out that such a solution has been offered in the form of an educational qualifications bill. She explained that the League has not taken a stand on this measure, but added she wished to mention it as a matter of record.

Mrs. Haas admitted that many primary laws have been written into the Democratic Party rules which Former House Speaker Roy V. Harris, who wrote the White Primary Bill, wishes to substitute for legal regulations.

"The League cannot see that this offers any security. Party rules have been violated in the past. What is to keep them from being violated in the future?"

The League President added there is no provision for a party registration fee under present rules. "But," she continued, "there will be no law or rule to prevent the charging of a fee."

She also discussed other regulations which she said should not be removed from the State's law books, and said appeals or contests made to an unregulated Democratic Party could go straight back to the persons accused of irregularities.

D. D. Veal, a Democratic Party official from Eatonton, also expressed the opinion that the Harris Bill would not long prohibit Negroes from voting. Veal then read from a U. S. Supreme Court decision which he said indicated that the court would rule that Negroes can vote in Democratic primaries whether primaries were regulated by State laws or not.

Judge Claude Pittman, of Cartersville, spoke on the eradication of protective laws for primaries.

Judge Pittman said the Harris Bill reminded him of a song called "The Last Roundup." Substituting the word "primary" for the word "dogies," he said, "Get along little primary, you're headed for the last roundup," and indicated that he believed that the Democratic Party might revert to nominating conventions rather than primaries for selecting State officials.

The Rev. Matthew M. Warren, Rector of All Saints Church, declared "this thing is against God and against the integrity of the State of Georgia. This wretched, wicked bill denies the integrity of the State, because it is a way to get around the Constitution."

First speaker to appear in opposition to the bill was R. W. Hayes, of Chamblee, youthful veteran of World War II.

Hayes, who spoke about five minutes, summarized his opposition to the bill with three objections.

He declared: "First, there is imminent danger of forcing colored citizens into a colored bloc due to present antagonism. Second, this measure would turn the Democratic Party in Georgia over to machine rule, and I don't trust rule by any group of power-greedy politicians. Third, this bill is thoroughly undemocratic, and is tyranny, since it deprives the Negro of the right to vote in a primary, which is tantamount to an election.

"Don't sink back to the period of 1865," he pleaded. "Free Georgia of its reconstruction complex. If the Negro was good enough to carry a gun in the war and pay taxes, he should vote."

Mrs. H. H. Trotti, of Decatur, also touched upon the subject of taxation for Negroes when she declared: "If you are going to disenfranchise colored people, knock off their taxes."

Discussing the proposal which would place the Democratic Party in the status of a private club, Mrs. Trotti commented: "I willing the measure "the most dan- voted disapproval of the white pri- roduced in the Gen- mary bill and protested its' pass- ," he said he knows age. The message termed the bill madge partisans in "un-Christian, unwise, undemo- nty who are against cratic and unconstitutional and contrary to the doctrines of the were submitted to church, the State and the Nation." ple of Georgia," he Other speakers against the meas- would not support ure included Robert R. Jackson, of Atlanta; James M. Crawford, of John Wilson, of La-Cornelia; Horace L. Davis, of Atlanta; a message from the H. M. Marris, Douglasville; ministerial Association, the Rev. Edward Small, Episcopal at body unanimously Minister of Gainesville; the Rev.

James Sneed, President of the Atlanta Methodist Ministers' Association and Pastor of Cascade Heights Church; the Rev. Sumner Guerry, of Decatur, and Bishop J. M. Walker, of the Episcopal Diocese of Atlanta.

Declared Bishop Walker: "Use of the inevitable friction between whites and Negroes to further political ends is a dangerous instrument."

Earlier Tuesday, the Senate Committee appointed to study white primary legislation, reported on its visit to South Carolina.

The Committee quoted Tom Pearce, of Columbia, Chairman of the South Carolina Democratic Executive Committee, to the effect that the "club" section plan had worked "extremely smoothly."

However, the Committee said Pearce acknowledged it had been necessary "on occasion" to call on Democrats to turn out in force in the General Election in order to assure election of Democratic nominees.

GEORGIA'S INTEREST TURNS TO A 'WHITE PRIMARY' LAW

37e(2) New York N.Y.

There the Dominant Democrats Are Divided, State Senate Declining to Follow Talmadge

Sun. 2-2-47

By GEORGE HATCHER

Special to THE NEW YORK TIMES.

ATLANTA, Ga., Feb. 1—The Democratic party in Georgia, sharply divided over the rival Governorship claims of Herman Talmadge and Melvin E. Thompson, is equally at odds over the Talmadge-sponsored proposal to repeal all State primary laws and establish a party-controlled Democratic white primary system.

The Talmadge-dominated House of Representatives approved the white primary measure this week by a vote of 133 to 62, after heated debate, but a special judiciary committee of the Senate held up action in the upper branch by ordering public hearings for Monday through Thursday of next week.

Permanent Rulers?

Some leading opponents of the proposal contend that it would enable a political faction within the party to set up for itself a permanent dictatorship to rule Georgia and that in such instance large numbers of white Democrats might join Negro voters in supporting Republican candidates in general elections.

There are several hundred thousand potential Negro voters in Georgia and they have made considerable progress in organizing themselves politically through "the Georgia Association of Citizens Democratic Clubs." The association now includes seventy clubs and an estimated 100,000 members, according to its president, A. T. Walden, Atlanta Negro leader.

The Talmadgeites' argument for repeal of the primary laws is based upon the "white supremacy" platform of the late Governor-elect Eugene Talmadge and upon the necessity of establishing the Democratic party as a "political club" so that Negroes may be barred from the polls without Federal interference.

Sun. 2-2-47

They assert that the election of Eugene Talmadge was a mandate to the Legislature to approve a white primary measure and that Herman Talmadge, the son and political heir of the late Governor-elect, is pledged to carry out his father's platform.

Free Election Doubtful

Opponents emphasize that even those in command of the party would be powerless to insure fair and honest elections.

The Atlanta Journal, published by James M. Cox, former Ohio Governor and the 1920 Presidential nominee, who young Mr. Talmadge says is one of the leaders of his opposition in the State, warns that county party committees would determine as they please who shall and shall not vote.

Journal Opposes Talmadge

The Journal, in a vigorous editorial appealing for the preservation of "democratic government," asserted that the white primary bill "would convert the Democratic party into a private political club, unaccountable to the commonwealth and subject in fact, if not in theory, to the rule of one man or one small group of politicians. Under the pretense of establishing an exclusively 'white primary' it would rob Democrats of their civic birthright."

Supporters of Mr. Thompson, who is committed by party pledge to establish some form of white primary, have drafted a substitute measure, which would retain all primary laws but would require voters without proof of high school or college education to submit to an educational test before they could qualify to vote.

The substitute proposal would not set up a white primary, but it is intended to bar from the polls large numbers of uneducated Negroes. Admittedly, it would also disqualify many white persons who could not measure up to the educational requirements.

Former Governor Arnall insists that his support of Mr. Thompson in the Gubernatorial fight is based entirely upon his (Arnall's) interpretation of the State constitution. Mr. Arnall, backed by an opinion of Attorney General Eugene Cook, holds that Mr. Thompson is entitled to the office by right of succession, since he was elected Lieutenant Governor at the same time the late Eugene Talmadge was elected Governor.

The Times

Arnall on Thompson

Mr. Arnall asserts he did not support or vote for Mr. Thompson for Lieutenant Governor but maintains that the General Assembly exceeded its constitutional authority by electing Herman Talmadge, in place of his late father, on the basis of write-in votes when no clear provision was found in the constitution relating to the naming of a Governor-elect's successor in the event of death before inauguration.

New York

Observers recall that Mr. Arnall chose Mr. Thompson as his executive secretary in 1943 and named him State Revenue Commissioner in 1945.

'Little Old Lady' Rebukes Talmadge Crowd

By United Press

ATLANTA, Ga., Feb. 7.—The widow of a famous general of the Confederacy urged the Legislature yesterday to bury Gov. Herman Talmadge's bill to bar Negroes from voting "so deep it can never be resurrected."

Tiny, white-haired Mrs. James H. Longstreet, whose husband was one of Robert E. Lee's chief lieutenants, appeared at the chamber room where the State Senate Judiciary Committee was holding public hearings on Herman Talmadge's white primary bill and asked to be heard.

She read an impassioned speech asserting that "a race that can produce a George Washington Carver and a Booker T. Washington already has paid the price in service to their country of the highest privilege of American citizenship—which is the ballot. . . .

"I implore you to turn the scorn of honest men against this infamous bill, repudiate it. Bury it too deep for resurrection.

"Thus you can announce to all the world and to millions yet unborn that the old Georgia, the great Georgia of Hill and Stephens and Toombs, when Kennesaw Mountain was a peak of fire and Chickamauga a field of blood still lives to claim an honorable place in the matter-hood of 48 constituting one Nation wiped out. All laws protecting the primary will be put to the unconvenience of re-regly the General Assembly will not ounties will be put to enact these laws aimed to sabo- ns who are eligible to tage the general election—the only nquestionably be re- place left where the Georgia vot- re is safety in numbers Ring." r the registration list, ds for political bosses ections.

Editor Constitution: Your editorial, "Welcome New Citizens," e reason, difficult to all present laws relat- ration and qualifica- ers are repealed and of them are re-en- impossible to know the result will be. fore, a dangerous pro- low.

ch responsibility is now full-fledged citizens of Geor- unty Boards of Reg- gia, the word citizenship means will no longer be everything. The most worthwhile more than one po- right inherent in attaining this t or party. status, the right to vote, is theirs realize that this bill without question. ive measures which The Fifteenth Amendment to reducing the num- the Constitution who vote and which States read: The right of the citi- easier to control the zens of the United States to vote ell as the primaries, shall not be denied or abridged by f this bill are very the United States or by any State has been offered to on account of race, color or pre- also would require vious condition of servitude. n of all voters. It I am just a Negro born in At- HB 96, however, lanta, Ga., 30 years ago, with no t places the admin- work, court record, two years of college ducational require- ble firm, a homeowner who has ands of school pe- never been a delinquent taxpayer, the registrars. (2) and with no grudge against any epeal all the laws individual or group of individuals istration and quali- regardless of race, color or creed. ters now on the Yet, if anyone asks if I am a citi- HB 96. zen of Georgia, the only answer

No Dynasty

Editor Constitution: The big majority of farmers — landowners — are tired of Talmadgeism. Many tell me that they voted for old Gene, but they don't want a dynasty of Talmadges. Country people think, now trying to rule Georgia.

It's a grab-robber crowd, they

H. A. FLEMING.

Gainesville.

Another Nail In the Coffin

(By Georgia League of Women Voters)

Sun. 2-2-47

VOTERS' LEAGUE

The obvious purpose of the "Registration Bill," H. B. 96, now being considered by the House is to reduce the number of voters. Since the White Primary Bill removes the primary from all regulation by law, the general election will probably become the important election in the State. Heretofore—for the past 50 years—the primary has been the real election and the general election has not mattered in Georgia. It merely approved the persons winning in the primary. Several measures have been introduced during this session of the Legislature which, if passed, will enable the professional politicians, if they so desire, to control the general election.

WITHOUT going into detail, some of the dangerous features of this particular bill (H. B. 96) as it now stands are as follows:

1. Registration lists will be wiped out. Voters who are now on the books as does HB 96. (1) It places the administration of educational requirements in the hands of school people instead of the registrars. (2) It does not repeal all the laws regulating registration and qualifications of voters now on the books as does HB 96.

White Primary May Be Called By Committee

Montgomery, Ala. 1-10-47

Legislature Approval Is Awaited In Georgia In Surprise Move

By ROMNEY WHEELER

ATLANTA, Jan. 9.—(AP)—James S. Peters, chairman of the Talmadge-dominated Georgia State Democratic Executive Committee, announced tonight he would call a Democratic white primary for governor if the legislature provides a special election.

In a surprise move, apparently stemming from controversy over the plan of six freshman legislators for circumventing constitutional omission, Peters said:

"It is now clear that Herman Talmadge will be elected governor by the legislature, and some members of the legislature are proposing that after his election by the legislature the question of who shall be governor should then be submitted to the people. . . ."

The announcement came as an apparent new Talmadge maneuver to draw off support [illegible]

Lieut.-Gov.-Elect M. E. Thompson, and again plugged at Talmadge's main theme: that Herman must be elected governor as a pre-requisite for consideration of an election. Montgomery, Ala. 1-10-47

There is no constitutional provision for a special election unless a lieutenant-governor succeeds to office, in which case the people select a new governor at the next genral election. If Thompson bcomes governor, this would be in 1948. Advertiser

Talmadge leaders acknowledge that a prior election, even if ordered by the legislature, would be technically illegal, and in effect would be merely a straw-vote. However, Herman Talmadge has pledged he would resign in favor of Thompson if he is defeated.

Herman Talmadge appealed to the people of Georgia to help block "this series of political tricks" which would prevent him from being elected governor by the legislature in place of his late father. Advertiser

The Associated Press poll, meanwhile, showed returns from more than 70 per cent of the 257 living members. Seventy-eight have said they favored Thompson, 48 have indicated they would vote for Talmadge, and 42 were undecided or non-committal at the time they answered the poll. Twelve favored a special election. 1-10-47

Talmadge lieutenants did not speculate what would happen if a candidate other than Talmadge or Thompson were to win such an election. Some legal sources contended there would be no way in which the successful candidate could take office.

Peters Calls for White Primary If Special Election Is Ordered

37e(2) The Constitution

Atlanta, Ga. Fri. 1-10-47

If Georgia is to have a special gubernatorial election, State Democratic Chairman James Peters, of Manchester, wants a Democratic white primary beforehand to pick the Democratic candidate.

Declaring last night that the only possible way Georgia can have a special gubernatorial election by the people is for the Legislature first to choose Herman Talmadge, Chairman Peters proposed that the Legislature help make it possible for the next Governor to be named by a county-unit system with Negroes barred.

Peters expressed hope that the Legislature will pass such laws as

By M. L. ST. JOHN

are necessary to make possible a white primary before calling a special election. Then he would ask the State Democratic Executive Committee to order a white primary in advance of the election. The Constitution

Confident that a special election would be held to name Georgia's next Governor was expressed last night by Rep. Pierre Howard, of DeKalb, one of the young veterans conducting a campaign to let the people vote for the Governor immediately. Atlanta, Ga.

"Regardless of whether M. E. Thompson or Herman Talmadge becomes Governor by Legislative action, I am sure we will have enough legislative strength to call a special election immediately and let the people select their Governor," Howard said. Fri. 1-10-47

Howard said that the statements issued by Talmadge, who is seeking the governorship on a "write-in" basis, and Thompson, on the proposal for a special election, were "not unsatisfactory." He, personally, thought that Thompson's statement could have been more positive, however. Talmadge pledged to call a special election if the Legislature names him Governor and passes a bill calling for such an election. T8hompson said he would co-operate with the Legislature in passing any act that would provide for a special election—if the act were constitutional.

On Peters' appeal for a white primary, Howard said he did not believe candidates in a special election could bear a party label. However, he added, it was immaterial to him whether a primary be held first. 37e(2) Atl.

Criticism of an Associated Press interpretive story about the veteran Legislator's call for a special election was voiced by Rep. Ben Garland, of Jackson; Rep. Country Johnson, of Valdosta, and Rep. Rhodes Jordan, of Gwinnett. They declared that their action was not "Talmadge inspired." They said the idea was their own, and did not originate with either Talmadge or Thompson. They said they submitted the proposal to both factions. The Constitution

Howard and Rep. Jack Flynt, of Griffin, another signer of the call for a special election, lauded The Atlanta Constitution for its "fair handling" of their move. 1-10-47

Meanwhile last night Legislators were making an unprecedented early arrival for the opening of the 1947 session next Monday.

Herman Talmadge, seeking to fill the post to which his late father was elected, took to the air last night over WSB to charge that Thompson is trying to resurrect Herman's father "to parade, phantom-like, before the General Assembly and there be considered in life, until his altogether fancied presence can serve Thompson's purpose, then to be allowed to reenter upon his eternal rest."

Talmadge lashed at Tnompson's "liberal" construction of the Constitution, under which Thompson said the Legislature can say merely the late Eugene Talmadge was elected Governor and then the Lieutenant Governor will take office as Acting Governor. Herman Talmadge's contention is that a dead person cannot possess a majority of the votes, and therefore it is the duty of the Legislature to name a Governor. Fri. 1-10-47

Attacking Thompson's announced loyalty [illegible] the platform of the late Eugene Talmadge, Herman Talmadge said Thompson owes his election as Lieutenant Governor solely to the fact that the vote for a white primary was split among two candidates opposing Thompson. Talmadge said he is better qualified to carry out the will of the electorate since he worked with his father in this fight. 37e(2) Atl.

"I shall never believe that the people will approve this series of political tricks designed to take me out of the program to which I gave my full devotion and supplant me with one who has never lifted a finger for the accomplishment of a single one of the objectives promised the people," Talmadge concluded."

In a talk over WGST last night, William P. Whelchel, of Gainesville, said the passing of Eugene Talmadge leaves Georgia without a Governor unless the Representatives follow the law and select a Governor. Atlanta, Ga.

The battle of statements continued, with Legislators giving support to Thompson and Talmadge. Fri. 1-10-47

Sen. Frank Arnold, a veteran of World War II from Washington, predicted the end of the Democratic primary if the Legislature sets aside the election of the late Gov.-Elect Eugene Talmadge by the people and selects a Governor from among the two receiving a few write-in votes against the Democratic candidate. The Legislature would be sanctioning party bolting, and future elections would be a "free-for-all."

Rep. O. L. Claxton, of Camden County, said legislative action is not necessary for the people to elect their Governor because the Constitution already provides for an election by the people next year, with the Lieutenant Governor serving until that time.

Sen. E. F. Griffith, of Eatonton, said the people don't want the Legislature to choose either their Governor or their candidate for Governor, and added he would support Thompson's position.

ing Of Negro Voters Poses Problem In Georgia

37e(2) The Advertiser Montgomery, Ala. Sun. 2-2-47

By ROMNEY WHEELER

ATLANTA, Feb. 1.—(AP)—Can the South bar Negro voters from polling booths where state and federal office-holders are chosen? That's the political $64 question—and only the Supreme Court of the United States can answer it.

Georgia, following the lead of South Carolina, is enacting legislation to divorce its primaries from state control. Sponsors, led by adherents of the late Eugene Talmadge, call it "white primary" legislation. They say it is intended to circumvent a Supreme Court decision that Negroes cannot be excluded from Southern primaries regulated by the states.

Opponents acknowledge it may keep Negroes from voting—but at a price of creating a political Frankenstein monster which eventually may destroy the

[illegible] state in position of b[illegible] ally ignorant that pri[illegible] ist. Montgomery, Ala. [illegible]ile, at the State Con[illegible]vention in Macon, he [illegible]pted exhaustive rules [illegible]e into party procedure [illegible]e entire election code. [illegible] there was this signifi[illegible]ion: The party, and the [illegible]e, would determine who [illegible]e, and who would be [illegible] to run for office. There [illegible]o appeal, except to the [illegible]utive Committee and— [illegible]when it meets—to the [illegible]c State Convention.

Fear Dictatorship

[illegible] of the plan contend [illegible]te political dictatorshi[illegible] Huey Long's regime [illegible]

Under party custom[illegible] candidate for go[illegible] committee could, conceivably, say to Ellis Arnall, 'we do not regard you as a member of the Democratic party of Georgia. Your utterances offend us. You are ineligible to run in our Democratic primary.'" 37e(2) Atl.

Democratic primaries. Their argument: A club can determine its membership, and may invite or exclude candidates for membership at will. Hence, if the State withdraws all controls and regulations, and ignores primaries as a part of its elective machinery, Negroes can be excluded by denying them membership in the Democratic party. Sun. 2-2-47

High legal authorities, including eminent jusists, are privately doubtful that the idea will work. They expect prompt appeals to the Supreme Court of the United States, and predict the court will ignore technicalities and rule no subterfuge can bar a voter from exercising franchise in a primary if—in effect—that primary actually determines what candidates will occupy public office. The Advertiser

Georgia's "white primary" bill, like that enacted by South Carolina, tediously repeals each and every section of the state's election laws having any bearing on primary elections. Technically

No Chance in General Pole

Theoretically, the alternative of a rebuffed candidate would be to seek office in the general election. But tradition in a one-party state make this an almost impossible task. For generations, voters have been taught to settle their disputes in the Democratic primary, and then vote solidly for the entire Democratic ticket in the general election. A candidate who would offer as an "independent" would be regarded as a political pariah.

Yet, there is serious anxiety among some Democrats that enactment of the Talmadge "white primary" offered a substitute bill which would have continued state control of primary elections but raised educational qualifications for Negroes and whites, alike. This plan, which would have purged many illiterate whites along with Negroes, was rejected by parliamentary maneuver when Talmadge Speaker Fred Hand ruled it "out of order."

Public hearings on the Talmadge 'white primary" bill are scheduled by a Senate special judiciary committee next week.

One Law

Editor Constitution: Calling al White Primary believers. Pleas read your Bible.

In the Second Book of Moses called Oxodus, Chapter 12, it says "Ye shall observe this ordinanc to thee and to thy sons forever when a stranger sojourn with the in a land of mixed multitude, ther he shall be as one that is born in the land, and ONE LAW shall be to him that is homeborn and unto the stranger that sojourneth among you."

You cannot believe in the so called White Primary and the Bible, too. You must give up one or the other.

H. DICKERSON.

Atlanta.

'UNALTERABLY . . .'

Churchwomen Hit White Primary

Two resolutions, one denouncing the white primary and the other approving jury duty for women, have been passed by the Executive Board of the Atlanta Council of Churchwomen. The Board is composed of 48 women, representing Protestant women of many denominations.

The Council went "on record as unalterably opposed to the abridgement of the rights and privileges of citizens on account of race, religion or place of birth."

In the other resolution the Council said: "Having sponsored jury duty for women 10 years ago, we now wish to reaffirm our approval of such a bill now being prepared for presentation in the 1947 session of the Georgia Legislature."

Shame, Disgrace

Editor Constitution: This White Primary Bill that the Legislature has passed is a shame and a disgrace to the State of Georgia.

There never will be any peace in this world unti' people realize that it cannot hold on to all our narrow prejudices, and hope to live in any sort of peace with the many other humans who live in the same world. There has never been a more unfair and unjust piece of legislation as this Primary set-up, those benighted dim-wits have re-established here. They aren't doing a thing but building up future trouble for our whole State. Surely there are enough right-thinking people in Georgia to rise up and put these trouble makers out of office.

Until the world recognizes all classes as men, regardless of their color, we can't truthfully call this country, and particularly the State of Georgia, a Christian nation.

MRS. J. RICHARD LINTON.

Atlanta.

erate Gen. James Longstreet, who declined to state her age "because I wouldn't tell the truth," but who was active enough during World War II to hold a job at the Bell bomber plant in nearby Marietta.

"I want to give a word of hope to the colored people of the United States who have produced a George Washington Carver and a Booker T. Washington," she declared in launching her attack on the bill and on Herman Talmadge.

Negroes furnished no conscientious objectors to service in the nation's armed forces, she went on. "When they were called they came."

Talmadge is sponsoring the measure in fulfillment of a campaign promise of his father, the late Eugene Talmadge.

Betty Ann Wo[illegible] 18-year old Atlanta school gir[illegible] the committee that the bil[illegible] dicts every thing we have [illegible] about the love of democracy."

The Rev. Joseph Arthur Rayburn, former chaplain and now pastor of the McRae Baptist Church where Eugene Talmadge held membership, said, " The real issue at stake is not a white primary, it is democracy."

Buford Boone, editor of The Macon Telegraph; W. E. Denham, pastor of the Macon First Baptist Church; Charles C. Matthias, Atlanta state CIO-PAC head, and Gus Bernd, Macon member of the Young Democratic Club's executive committee, were among those who were allowed brief statements in opposition to the measure.

First Shot Fired In Georgia Campaign

ATLANTA, March 28—(AP)—Prospective opponents agreed today the opening shot in a Georgia gubernatorial campaign almost 18 months away had been fired with Gov. M. E. Thompson's veto of white primary legislation enacted by the recent General Assembly.

Thompson nullified the act yesterday without comment, but his supporters and Herman Talmadge, who sponsored the bill and whose claim to the governorship was voided in Thompson's favor, immediately declared it was "the" issue in the 1948 general election.

There have been frequent predictions Thompson and Talmadge would meet in 1948 in the contest for the two-year unexpired term of the late Gov.-Elect Eugene Talmadge, Herman's father who campaigned to victory on a white supremacy platform last Summer. The State Supreme Court ruled last week that Thompson, as lieutenant governor, was the elder Talmadge's successor to the governorship rather than Herman Talmadge, elected to the post by the Legislature.

"The issue next Summer will be the same as last Summer," commented Talmadge yesterday after Thompson's action. "The overwhelming majority of the people want a white primary. They will get it."

The white primary bill would have denied Negroes the right to vote in Democratic primaries, traditionally the decisive balloting in this one-party state.

Thompson Raps Talmadge White Primary Fight Loom

ATLANTA, GA., March 20.—(AP)—Gov. Melvin E. Thompson castigated his ousted predecessor, Herman Talmadge, today before a silent Georgia legislature, rebuking him for what Thompson called attempted seizure of the government by force and fraud.

A joint session of the House and Senate cheered Thompson when he declared law and order had returned to Georgia. But it fell silent as he assailed Talmadge-sponsored "white supremacy" legislation, and declared Talmadge and his associates no longer could speak for the Democratic Party.

Thompson, who was proclaimed Georgia's legal governor yesterday by the State Supreme Court, spoke for 15 minutes. When he concluded, floor leaders of the Talmadge faction grimly promised political war.

Rep. Robert Elliott of Muscogee (Columbus), declared: "The issue is the same as it was when Eugene Talmadge was elected. It is White Supremacy. Thompson is against a white primary. Talmadge is for a white primary. The people will decide."

Rep. W. J. Crowe of Worth (Sylvester) commented bitterly: "Thompson is saying that all Talmande people are thieves and rogues. He is trying to read us out of the Democratic Party, but he can't do it."

Political leaders of both factions agreed that Thompson had opened intra-party conflict which eventually may send rival delegations to the Democratic National Convention. Talmadge forces are solidly in control of the Georgia Democratic Party executive committee, and control also the State convention, which is in recess. Thompson is backed by former Governor E. D. Rivers, Democratic National Committeeman, and by "The Aroused Citizens of Georgia," a group which recently "read" Talmadge out of the party.

Thompson endorsed the principal of White Supremacy—adopted as part of the Democratic Party platform in Georgia—but said Talmadge's plan to divorce primaries from state control and make them subject to party rules was invitation to fraud and stolen elections.

Georgians Raise Their Voices Against Bill For White Primary

ATLANTA, Feb. 7—(AP)—A Confederate general's widow and one of Georgia's [illegible] voters—voices from the old South and the New—were joined today in protest of a bill which would strip Negroes of an opportunity to vote in Democratic primaries.

Those two, together with three score others including ministers, editors, educators, lawyers and labor leaders, were heard at the final public discussion of the proposed white primary bill, already passed by the House and now pending before the State Senate.

So great was the crush of witnesses to be heard that those at the last were given only a minute to identify themselves and state their opposition to the bill to the Senate's special judiciary committee holding the hearing.

From the South of the past came the gray-haired widow of Confed-

Thompson Vetoes White Primary, Also Bans Closed Shop in Georgia

Special to The N[illegible]

ATLANTA, March 27 - Gov. M. E. Thompson vetoed Georgia's white-primary bill today and approved two anti-labor measures outlawing the closed shop, the involuntary check-off of union dues, and mass picketing.

Governor Thompson, who eight days ago was installed as the State's legal chief executive in a State Supreme Court decision invalidating the General Assembly's election of Herman Talmadge, asserted he would issue a statement tomorrow explaining in detail his reasons for vetoing the white-primary proposal.

He stated that there were "many bad features" in the measure and that if he had permitted it to become a law thousands of white persons would have been disfranchised as voters along with Negroes.

The white-primary bill would have repealed all State laws regulating primaries and allowed the State Democratic party to control such elections. By this method, the Talmadge sponsors contended, the party could operate as a private club and thus escape Federal jurisdiction in the barring of Negroes from the polls.

Mr. Talmadge has signed the white-primary and anti-labor measures but the Supreme Court decision nullified all his actions in his two months in the executive offices.

The primary measure was pushed through both branches of the Talmadge-controlled Assembly by large majorities despite vigorous objections of civic, political and church leaders. Thompson

In the meantime, some of his supporters were said to have aid of one of his top advisers were said to have aid of one of his top supporters, urged him to sign the measure in observers are of the opinion that order to eliminate the race ques- National Democratic Committee- tion as an issue in the Governor- man Ed Rivers, probably would ship campaign next year. have obtained recognition of it as Political observers were speculating tonight over whether Mr. Thompson would veto the primary bill, asserting that he was against any legislation that would "allow fraud and stolen elections to run rampant in party. If he had signed the bill, rules following the election last fall Mr. Thompson signed were passed unanimously in the Senate and by overwhelming majorities in the House. They had the backing of this committee. The anti-labor measures which Mr. Thompson can now rename as "the" issue in the State Democratic party and, with the Talmadge, Herman's father. Some are Talmadgeites, in the ordance with party the Georgia Farm Bureau Federcial party.

marked 40,000 members.

White Primary 'Twists' Haunt Pondering Solons

Atlanta Ga.

By M. L. ST. JOHN

Several members of the Georgia Legislature studying the White Primary Bill this week-end, report they already have found what they consider many "sleepers" in it which could remove protection of the ballot for the white people as it seeks to ban Negroes from voting in Democratic primaries.

Substitute bills and amendments reportedly will be offered when the House begins debate on the controversial measure Monday, and objections will be aired in floor arguments. Sun. 1-26-47

The fight, which began last Wednesday, will continue along non-factional lines, with many Talmadge and Thompson supporters opposing the Bill as it is drawn at present. Some Talmadge supporters and some independent Legislators were the ones who prevented the bill from being rushed through the House Wednesday.

With Thompson leaders leery of being branded as anti-White primary people since Lt.-Gov. M. E. Thompson has pledged to carry out this platform, and with Talmadge leaders determined to adopt the bill as drawn by Former House Speaker Roy Harris, indications are the fight against the present measure will be carried by independent Legislators.

Some solons are challenging the sponsors' boasts that the White Primary Bill retains protection against fraud.

They say that it also leads to re-enactment of the poll tax.

They say it eliminates protection of the secret ballot.

A major bone of contention among the local-minded Legislators, however, is the Bill's effort to wipe out all local primary regulations with one paragraph in a general bill. Sun. 1-26-47

The Bill, as drawn, weakens the general election and places too much power in the hands of a few persons to control the primary elections, some Legislators charge. They see "untold confusion" in their local governments as well as the State as a while if this Bill is adopted as now written.

The White Primary Bill seeks to take the primary from under State control and make the Democratic Party a "private" party so that its members could bar Negroes from voting, without any interference from the Federal Courts. It would eliminate all references to "primaries." State laws regulating primaries would be abolished—except those dealing with fraud—and the primaries would be run by party rules.

Sponsors of the Bill quickly point out that the White Primary Bill retains laws against fraud in all elections—State and local, general and primaries. They report that the Bill retains the laws against buying votes, voting more than once, forgery on the registration book, and other frauds.

To this, the opponents ask: "How will it be possible to prove fraud when the ballots are held by party leaders and not by the clerk of courts?"

"Under present laws, ballot boxes and returns are held by the Clerk of the Superior Court for a prescribed time," they say. "Under the party rules, these ballots after a primary go to party officials, and who can guarantee that they will not be tampered with?"

As they compared the White Primary Bill with their copy of the rules adopted by the State Democratic Convention, some Legislators said the party failed to adopt rules to substitute for quite a few important State laws which are to be abolished by this Bill.

For instance, they said they failed to find rules to prevent ballots from being delivered to persons other than the proper election officials or to persons who are not eligible to vote. The Bill abolishes the laws—insofar as the primary is concerned—which prohibit the printer from delivering ballots to any one other than proper officials, and prevents the election managers from turning a ballot over to anyone other than a qualified voter.

The limit on campaign expenses (now fixed at $25,000) is taken off by the White Primary Bill, and it is not replaced in the party rules, the solons asserted.

A voter no longer would be guaranteed secrecy if the White Primary Bill is passed as now written, they continued. There is no party rule that adequately substitutes for the abolition of a State law requiring privacy for the voter. Constitution

The White Primary Bill, as drawn, attempts to wipe out all city charter provisions regulating city primaries. Some Legislators say their lawyers have told them this could not be done by a general bill. Each charter provision must be mentioned separately by name, they said. To guarantee its legality, Harris, in explaining the bill to a House committee last week, suggested that each Legislator bring in local bills repealing his city's charter provisions.

Some Legislators oppose giving "so much power" to a few men in control of the Democratic Party, fearing it would set up machine rule in Georgia for an indefinite period. Atlanta Ga.

Under the bill, as drawn, the party's 120-member Executive Committee would be supreme and final arbiter on who would be admitted to party membership and, thus, who would be allowed to exercise the right of franchise. The party, similarly, would decide who was to be permitted to run in the primary — where nomination admittedly would still be equivalent to election.

Party officials, instead of the courts, would keep the ballots after a primary. In case a candidate demanded a recount, the party chairman would designate a referee—instead of permitting the judge of the Superior Court in the adjacent county to preside.

Sponsors of the measure point out, however, that it is necessary to eliminate state supervision of the primary if the Negro is to be barred from voting. They contend that the county Democratic Committees are elected by the people and therefore would not dare defraud the people. But the opponents observe that the committees are already in office and can perpetuate themselves in office by purging the voters' lists.

The White Primary Bill comes up for debate Monday. After it is disposed of, the House will take up the $109,000,000 Appropriations Bill. This measure, indorsed by Gov. Herman Talmadge, calls for spending approximatey $32,000,000 more than the anticipated annual income. Sun. 1-26-47

GEORGIA versus CONSTITUTION

37e(2) Pittsburgh, Pa. Courier

By THEODORE W. GRAHAM, Courier Staff Writer

In the face of the United States Supreme Court ruling in the Texas Primary Case, recent steps taken by the Georgia Legislature to further disfranchise that State's colored citizens bare two questions: Does the Constitution have real meaning? Or is the State of Georgia prepared to accept a reduction in its Congressional apportionment and presidential electors.

What should be done is obvious. The Congress has ample power to act against Georgia or any commonwealths which hopefully watch for a successful outcome of the Georgia Legislature's proceedings. A cold appraisal of the legislative abortion now taking place in Georgia can place it in but one light . . . that of the State of Georgia versus the Constitution of the United States.

A CONSTITUTION GUARANTY

The Fourteenth Amendment states clearly (legal circumventions notwithstanding) that when qualified citizens are denied the right to vote for State or national officers, that State's representatives in Congress shall be reduced in proportion. With Georgia's Negro population comprising roughly one-third of the State's total voting potential, this rule would give the State a Congressional representation of six or seven instead of ten. Sat. 2-15-47

Georgia, Alabama, Tennessee, Mississippi, Louisiana, South Carolina, Florida and Texas, taken for example, under enforcement of the Fourteenth and Fifteenth Articles of the Constitution, upon illegal abridgement of citizens' right to vote would lose 50 per cent of the solid South's" electoral potential, and roughly one-third of its strength in Congress. In other words, the "solid South" would not only be split effectively and justly, it would have been placed in the paradoxical position of furnishing the weapon for its own destruction as a factor in national politics.

19% VOTE IN EIGHT STATES

In the 1944 Presidential election, in thirteen Southern States only 27.9% of their voting potential went to the polls. In eight of these States, poll tax territory, all the talk of Negro voting in equal," and Texas, "... All free men ... have equal rights, and no man or set of men, is entitled to exclusive separate public emoluments or privileges, but in consideration of public services."

WHO ARE CITIZENS?

Evidently some States failed to have any real meaning? Does the Constitution of the United States? Does the Constitution have real meaning? Does the Constitution of the United States? Does the Constitution have real meaning? Does the Constitution of the United States? Does the Constitution have

groes as citizens.

The United States Supreme Court ruled also, May 26, 1941, that the Government's power to regulate elections covers Congressional primaries in the States. Justice Harlan F. Stone delivered the four to three decision involving a question described by the Justice Department as of "paramount public importance." Four justices did not participate. Sat. 2-15-47

Justice Stone asserted that "we think that the authority of Congress includes the authority to regulate primary elections when . . . they are a step in the exercise of the people for their choice of representatives . . ."

It is apparent, too, that this case originating in Michigan, preceding the Texas Primary Case, also would cover the Georgia Legislature's intent to disfranchise colored voters.

Population of Southern States, Negro Percentage of Population, Representative Apportionment of Southern States, and Number of Presidential Electors.

The Same on the Southern Basis of Withdrawal of Representation Due to Denial of Franchise to Negroes.

State	Pop.	Negroes	Rep.	Electors	Rep.	Electors
Ga....	3,123,729	34.7	10	12	7	8
Ala...	2,832,961	34.7	9	11	6	8
Tenn..	2,915,841	17.4	10	12	8	8
Miss...	2,183,796	49.2	7	9	3	4
La....	2,363,880	35.9	8	10	6	7
S. C...	1,899,804	42.8	6	8	4	4
Ark...	1,897,414	27.1	6	8	4	7
Tex...	6,414,824	14.4	21	23	16	18
			78	93	54	62
Total			435	432		

House loss (Reps.)—24.
Electoral loss—31.

Reviving the White Primary

Pittsburgh, Pa. Courier

Georgia's Ku Klux forces headed by Herman Talmadge scored a big victory last week when the white primary bill passed the State Legislature and became a law, albeit of dubious constitutionality, when signed by the son of gallus-snapping Gene.

The new "law" repealed all references to primary elections and made the Democratic party of Georgia, in effect, a private club whose acts are not subject to review by Federal courts, thus getting around the Supreme Court ruling entitling Negroes to vote in all primaries. Sat. 3-1-47

Thus at one stroke Georgia took a long leap back to normalcy, while Talmadge, doubtless with tongue in cheek, declared that "The Negro people should have the same protection under the law accorded white people. Negroes who are qualified to vote will be permitted to vote, but not in our white primary."

However, two legislative opponents of Herman Talmadge by obtaining a certificate from the Secretary of State to incorporate a Democratic party, have indicated a way in which Georgia Negroes may cause the Talmadge oligarchy a headache.

If any group is now free to set up as a Democratic party like a private club, there is no reason why a Negro group cannot also have a Democratic party not excluding white people.

Surely, what is legal for one group must be legal for another, or else the action of the Talmadgeites is unconstitutional.

But the Georgia Supreme Court has still to decide whether Talmade is the legal Governor of Georgia, and if it decides that he is not, then his signature on the white primary law is worthless.

In the meantime, Georgia Negroes might well explore the possibility of establishing another Democratic party which is also democratic.

M. L. ST. JOHN

3720 (2) 1/9

Labor's Intentions And the Rev. Rabun

The Atlanta Constitution
Wed. 8-13-47

Organized labor is growing in Georgia. Its political influence is being felt more and more, despite the fact that the Georgia Legislature slapped it with two restrictive laws early this year. Those anti-closed shop bills, which the unions and some corporations are ignoring, were signed by both Herman Talmadge, when he was claiming the office of Governor, and by Acting Gov. Thompson.

Angered by them, some labor union leaders set out to find themselves a gubernatorial candidate for next year's races. First, they approached Secretary of State Ben Fortson who, as a member of the Legislature, fought hard to lift the constitutional ban on the liberal Ellis Arnall serving another term as Governor. Although a year ago Fortson was interested in a possible race for the Governorship, he now is satisfied with the job of Secretary of State.

Now some labor leaders are approaching youthful Rev. Joseph Rabun, outspoken former Marine chaplain who was ousted as pastor of the Talmadge church at McRae for opposing Talmadge's

Pub. Atlanta Ga.

Questions Some observers wonder if labor thinks it is strong enough to elect a Governor next year. Or, is labor trying to use the threat of a third candidate purely as a balance of power stunt to force Thompson to grant favors now—or to invite Talmadge to make a deal with labor in next year's races? Or does labor, realizing it couldn't elect a candidate, feel it could get nothing from either man who signed the bills (passed overwhelmingly by both branches of the General Assembly) and merely wants to run a candidate for a show of labor's strength politically?

Heretofore, labor unions have been quiet about whom they supported for public office. In the past, some candidates have asked unions not to indorse them publicly, regarding such indorsement a liability. Some candidates have openly dared labor unions to try to defeat them. Because they felt they were not strong enough to run their own candidates, labor unions quietly backed gubernatorial candidates with whom they were not entirely happy. The CIO and Gubernatorial Candidate Jimmy Carmichael were at odds most of last Summer, yet CIO members chose Carmichael over the late Eugene Talmadge. The AFL couldn't have liked the actions of the late Eugene Talmadge on unions, and yet some of its leaders obviously worked for Talmadge's election.

Time Ripe It may be that labor groups feel the time is ripe for them to sponsor a candidate of their own choosing, since Georgia politics are muddled. The old-line friends of the late Eugene Talmadge are not enthusiastic over the influence Roy Harris has with the present Talmadge organization, but Herman Talmadge seems to be keeping both elements satisfied at present. The supporters of Ellis Arnall and Jimmy Carmichael are not overly fond of associations with Ed Rivers in the Thompson organization, but so far Acting Gov. Thompson is holding all anti-Talmadge groups together.

Although the Talmadge group deplored Rabun "mixing religion with politics" in the past, it no doubt would like to see the preacher mix even more into politics by becoming a candidate for Governor. Because any strength Rabun picked up would come from persons who—whether ardent Thompson supporters or not—would vote for Thompson over Talmadge. On the other hand, the Thompson group was elated briefly when Belmont Dennis, retiring Georgia Press Association President, jokingly said he might run for Governor himself. Because Dennis' votes would come from persons who normally would back Talmadge. Wed. 8-13-47.

Mr. Rabun Rabun has won praise for his courageous action on a religious-political issue. If he were to try to capitalize on this by seeking a political office personally, he would detract from the spiritual lesson he has taught Georgia in becoming a martyr at the McRae church, many feel. If some labor leaders are trying to put up a gubernatorial candidate purely as a bluff or as a retaliation measure without hopes of winning, it is unlikely that the sincere-minded Rabun will agree to be used as a pawn. His would be a campaign on a basis only of winning and doing something for his State.

White Primary Issue Seen 'Dying' in State

Constitution Atlanta, Ga. 3720 (2)

The Democratic White Primary, on which the late Eugene Talmadge failed to be elected in 1942 and then used successfully for a comeback in 1946, apparently is dying out as a campaign issue in Georgia, some political observers said Saturday.

Herman Talmadge, obviously Talmadge forces killed Thompson-foreseeing the United States Supreme Court upholding the Southern sponsored measures raising voters and permitting Carolina decision, is attempting to substitute a voters qualification test as the chief issue in the 1948 gubernatorial campaign in place of the White Primary issue, which the Georgia plan was patterned, they said.

An educational test for voters could not become a race issue like the White Primary, however, since registrars would be "compelled" to apply the tests without prejudice to all races. Talmadge contends it would have the effect of eliminating bloc voting of illiterate Negroes, and charges Thompson would want to do this. Thompson, the other hand, declares the

Legislature early this year. After a Federal circuit judge ruled unconstitutional the South Carolina White Primary Law—on which the Georgia plan was patterned, Speaker Fred Hand started a move to convene the Georgia Legislature in special session to pass a voters' qualification law. Thompson declined to "waste taxpayers' money" by bringing the solons here to again vote against such laws. Sen. Pres. Pro Tem William T. Dean, opposing the session, said such a bill can be passed in regular session in January, 1949. In the meantime, whites and colored

Sat. 8-16-47

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anti-lynch bill.

37e(2) 1947

Georgia Senate Starts Hearings on Abolishing All Primary Laws

PM New York, N.Y. Mon. 2-3-47

37e(2)

By Stetson Kennedy

Author of "Southern Exposure"

PM Exclusive

Today Georgia's Senate Judiciary Committee begins public hearings on the "white supremacy" measure which last Wednesday was passed by the Georgia House, 133 to 62. This Herman Talmadge-sponsored bill would abolish all state laws regulating primaries—including those against fraud and corruption—in an attempt to subvert the U. S. Constitution and circumvent the U. S. Supreme Court by resurrecting the white primary.

During his visit here last week, former Gov. Ellis Arnall told me another bill is coming up in the Georgia legislature which, instead of abolishing all primary laws, would strengthen literacy and educational requirements for voting. Application of this law, Arnall said, would be placed in the hands of the board of education rather than with the registrars; and he seemed to think it could be administered without racial discrimination.

Takes Courage

So successfully did Eugene Talmadge agitate the issue of a white primary in his 1946 campaign that it was largely responsible for his election. The Talmadgites, ironically, insisted upon no segregation at the polling booths, in the hope that many whites would so object to standing in the same line with Negroes that they would cast their votes for Ole Gene.

Sentiment among white Georgians for a white primary is so prevalent that only the most courageous political liberals in the state dare to speak against it. Ellis Arnall, while Governor, staunchly refused to bow to terrific pressure for a special session of the legislature which would seek to resurrect the white primary. He has clearly stated that he would not be a party to any attempt to circumvent the law of the land, and he has asserted his belief in the equal right to vote regardless of race or creed.

For some time the Georgia League of Women Voters was one of the few group publicly to take a stand against abolition of the primary laws. Just recently Ralph McGill, editor of the Atlanta *Constitution*, has seen fit to get into this fight on the side of democracy.

But it may be too late—unless the general statewide revulsion against Talmadgism somehow carries over into opposition to his unregulated primary scheme. Unfortunately, there is but one Ellis Arnall in Georgia, and he is no longer Governor. It remains to be seen whether M. E. Thompson, Talmadge's rival for the Governorship, who has come out for an unregulated white primary, will swing his support to the alternative literacy measure, a somewhat lesser evil. Mon. 2-3-47

Other Evils

The evils of an unregulated primary are not alone the evils of a white primary. In such a primary citizens have no effective recourse at law against fraud and corruption.

PM

What Georgia seems about to do is not without precedent. South Carolina took this same leap into the darkness of unregulated primaries promptly after the U. S. Supreme Court in 1944 ruled (Smith V. Allwright) that the 15th Amendment protecting the voting right of Negroes applies to primaries which are regulated by the state. New York, N.Y.

How to Stop It

In a special session of the legislature openly called "to maintain white supremacy," South Carolina passed 147 bills wiping out every statutory reference to primaries. And the Democratic Party in that state not only got away with a lily-white primary in 1944, but again in 1946. Now white supremacists in Georgia, Florida, and other deep South states seem determined to try the same stunt.

One thing can stop them: a decision from the U. S. Supreme Court that the 15th Amendment applies to unregulated as well as to regulated primaries, inasmuch as the state gives official sanction to the primary by recognizing its nominees. But the Court does not issue edicts; cases must be brought before it. PM

Even then, the white supremacists are determined to carry on by hook or crook. Roy Harris, the man behind the Talmadge throne, has openly boasted that the party in Georgia would alter its rules by a comma or two, ad infinitum, and continue to hold lily-white primaries while each new change was being adjudicated in the courts.

Should all else fail, there may even be violence unless something is done to ward it off. During last year's political campaigning in Georgia, planters and merchants in the Talmadge camp put tremendous economic pressure on Negroes, threatening to evict them and deny them credit if they registered to vote. The Klan touched off fiery crosses on election eve, and notices were tacked to Negro churches reading, "The first nigger who votes will be a dead nigger!"

While the tightening of literacy and educational requirements for voters may be a lesser evil than the unregulated primary, it may be perverted to serve the same ends. Alabama tightened its registration law last year, via constitutional amendment adopted by referendum. While Constitutional upon its face, it vests discretionary power in the registrars to decide who meets the qualifications. Under the law the registrars can disqualify not only such groups as Negroes and union members, but could actually deny a vote to Hugo Black, the U. S. Supreme Court Justice from Alabama, on the ground that he did not "understand and explain" the Constitution to their satisfaction. New York, N.Y.

It has been over three quarters of a century since the 15th Amendment was adopted.

In an open reign of terror the Klan defied it during Reconstruction, so that the South had to be divided into five military districts with Federal troops to insure free elections. Mon. 2-3-47

But the troops were withdrawn prematurely, and the Klan rode again and the Negroes were disfranchised.

Under Populism many of them regained the vote—only to lose it once more when Populism succumbed to demagoguery.

In 1944 the Supreme Court said, "This grant to the people of opportunity for choice is not to be nullified by a state through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election."

It must be made clear to white supremacists that the Constitution and Court mean what they say.

M. L. ST. JOHN

Opponents Cite White Primary Defects

The Constitution Atlanta, Ga.

Supporters of the White Primary Bill in the General Assembly went through the bill with a fine tooth comb to be sure no reference was made to political parties and their primaries. To abide by Federal Court rules, they would have to totally divorce the primary from the general election if they would bar Negroes from voting in the primary, they said. Sun. 2-23-47

They were so zealous in their hunt that they killed an amendment by Rep. Sam Mathews, of Peach county, which would permit the courts to "prevent and punish frauds perpetrated by any member, candidate, officer, or official of any political party or group, against any other member, candidate, officer or official of the State or any of its citizens." They were not condoning frauds in the primaries, they said, but they could not adopt such an amendment as this without coming back under the supervision of the Federal courts. (They also asserted that general fraud laws apply to the primary as well as to everything else, and frauds in the primaries can be punished without this amendment).

Now that the General Assembly has passed the White Primary bill, some opponents have cited a section which refers to "primaries" and "political parties" and instructs State officials to act in accordance with what is done by a political party in its primary election. These opponents say this is a definite link between the primaries and general election, and that it will nullify the White Primary Law.

Name on Ballot

This is the section that provides a means for a Democratic primary winner to get his name on the general election ballot. In mentioning the preparation of the general election ballot, this law instructs the county ordinary to have printed on this ballot, in separate columns, the names of candidates of "each political party," designating the "names of the political party to which they belong." It also says that party officials shall give the Secretary of State a list of their candidates for the general election ballot. In event of a "second primary," the party officials may wait until the "results of this second primary are determined." 2-23-47

Critics claim this section definitely links the primary with the general election in that it requires State officials to recognize the alleged winner of a Democratic primary as the proper candidate of that party in the general election. It requires a State official, they say, to approve the results of a Democratic primary and say they are correct—although he would have no way of counting the ballots or supervising the operations of the primary to know that he is approving the rightful person as winner of the party primary.

White Primary supporters deny this is a link between the primary and the general election. The Secretary of State and Ordinary are not required to approve operations of a primary, they argue. These State officials merely accept the certification of the recognized leader of the private political party that certain men are candidates from this particular party—it is immaterial to the State official how the candidates are chosen by the private party.

The Question

Rep. Mathews does not express an opinion as to which contention is correct. However, he asks this question: "If the section instructing the Secretary of State and ordinaries to designate as party candidates in the general election those persons determined by results of the primaries does not tie the primary into the general election machinery, why would my amendment permitting the courts to prevent and punish frauds by any member of any political party link the primary with the general election?"

Sidelights

When Rep. Jake Jopl, of Clarke County, passed a bill outlawing fortune telling and crystal gazing, Rep. John Lewis, of Hancock County, asked if this does not ban political "poll" predictions such as Georgia saw last Summer . . . Another solon asked if members of the Legislature were exempted from the law banning crystal gazing . . . Colorful statement: "When this legislative session is over, there will be no calluses on the inside of my legs from straddling the fence," said Sen. Tom Mitchell. The Rev. of Clayton . . . As Camilla and Pelham—two feuding cities in Mitchell County—got together up here for a testimonial dinner honoring Mitchell Countian Fred Hand for his election as House Speaker, Sen. E. L. Butler, of Camilla, recalled that his 85-year-old father was born and reared in Camilla and had never set foot

Pelham. Sun. 2-23-47

February, was asked today to resign as pastor of the McRae Baptist Church. The congregation voted 67 to 35 to oust the minister.

Church Ousts Pastor, White Supremacy Foe

Mrs. 8/4/47 (AP)—

MsRAE, GA., Aug. 3.—

Rev. Joseph A. Rabun, for- Navy chaplain who opposed nadge-sponsored "white su- nacy" legislation during Geor- governorship dispute last

The Inevitable Result Of White Primary Laws

The Courier-Journal

OUTSIDE of the arrant bigotry and master-race spirit of the thing, the White Primary law which Georgia has just enacted should bring up several practical political considerations. Nobody should be more alarmed by this trend toward exclusion than leaders of the Democratic Party generally. It means that the Solid South is not much longer to remain solid. Perhaps you will be inclined to say that this is a good thing, but it cannot be altogether good when the reason for it, as in this case, is evil and un-American. Louisville, Ky.

True, the chances are better than even that, in spite of the fatuous claims of its defenders, the law will be thrown out as soon as a test is made in the Supreme Court. In this age of crisis, every move that does not positively extend democracy is a move toward destruction of our way of life. TALMADGE'S Georgia has moved backward to another era, moved therefore toward destruction, and it is inconceivable that enlightenment and even the necessity of survival will permit the move to be pursued for long.

But suppose the courts uphold it and its blind reaction. Then the result is bound to be the end of the Democratic Party's domination in Georgia. This may take some time, but it is inevitable if the White Primary law stands. Mon. 2-24-47

The fact is that this law places all power in the hands of a machine—the power of nomination, the power of deciding contests, the power to count ballots and to condone or to punish fraud. There is bound to be popular resentment. There is bound to be opposition to the candidates of the bund, into which the party is converted by the new law.

The opposition will surely mobilize the voters among the more than 1,000,000 Negro citizens, one-third of the population, who certainly are now estranged from the interests of the forces who disenfranchise them and declare them to be less than citizens. It will surely assemble the substantial rank and file of decency that periodically has been nauseated, since 1934, by the excesses of the TALMADGE rule-by-force. It will surely solidify the feeling of disgust for the turncoats of the RIVERS and ARNALL administrations who now are supporting TALMADGE for the political gravy they have caught a scent of.

What is going to happen then? What, except competition for the candidates of this "private party" (and the White Primary advocates call it just that)? Perhaps for a little while the latter will be able to hold the masses in line by threatening them with the brand of heresy as party bolters. But intelligence will bring to bear a great light on such definitions of party. Already in South Carolina several groups bearing the label of "Democrat" are in the field, and some of the so-called irregulars have won more than a few local triumphs. Mon. 2-24-47

In short, laws like that which the TALMADGE forces have pushed through in Georgia, and which HERMAN has signed in infantile triumph, are foredoomed. If in the end they win, they lose as far as party integrity is concerned. For they are set up in defiance of the Constitution and of public policy. In a government of law and of rights, they will find a self-made retribution.

Denies Democracy

Editor Constitution: The "white primary" is inherently evil. It attempts to give democracy to 2,000,000 whites and in the same stroke deny democracy to 1,000,000 Negroes.

It violates the 15th amendment to the United States Constitution.

It bucks the Supreme Court which refused to review the Primus E. King case.

It will again embarrass Georgia before the world as did the Monroe lynchings, the Columbians, the Ku Klux Klan and the Governors' brawl. The Constitution

It will run the risk of having Georgia's representation lowered.

It is a violation of the principles for which 25,000,000 men around the world died in the last war.

This bill breaks faith with the black boys whose bones decay at the bottom of every sea, who sleep under crosses row by row in Africa, Europe, Asia and the islands of the Pacific; who sprinkled their blood all over the world that democracy might live.

Negroes did vote in a bloc, as any group would vote for the person most favorable to them. The South has voted in a bloc ever since the War Between the States. Can Negroes change their race? Are they hated because God made them black? Atlanta, Ga.

A majority of the people in Georgia voted against Eugene Talmadge who won on a county unit vote. This could mean that a major portion of Georgia opposes the "white primary." Sun. 2-18-47

Does the "white primary" mean that Negroes are exempt from taxes and going to war?

Religion and God oppose the "white primary." Nobody can win wrong; nobody can lose right.

REV. WM. H. BORDERS.

Atlanta.

BARS PEOPLE'S VOTE ON A WHITE PRIMARY

The Times

Special to THE NEW YORK TIMES.

ATLANTA, Ga., Feb. 17—Supporters of Herman Talmadge in the State Senate today defeated a proposal to submit the white primary measure to a vote by the people.

The proposed amendment to the bill came after followers of M. E. Thompson, Mr. Talmadge's rival claimant to the Governorship, had abandoned the filibustering tactics they employed last week and after fifty-one sections of the measure had been approved. Sun.

Final action on the bill in its entirety is set for tomorrow and passage appears certain.

Heated debate was touched off by the referendum proposal.

Talmadeg leaders declared the Senators should be "men, not mice," and pass the bill as it was approved by the House. If the people did not like it, they would express their opinion at the next primary election, it was contended. New York, N. Y.

Senator Spence Grayson, one of the Senate's leading white-primary advocates, stated that "all our trouble started in Georgia in the Democratic convention of 1944 when the gentleman from Iowa [Henry Wallace] said he favored abolition of poll taxes."

"People were never permitted to vote on the abolition of the poll tax. This is the time and place where we get a Democratic white primary." 2-18-47

Senator Grayson argued that if the bill were submitted to the people, the State's Negro registration of some 120,000 would rise to nearly 500,000 "and the Negro vote would kill the measure."

White Primary Bill Branded As Corrupting

The Constitution

Atlanta, Ga.

A resolution "deploring" passage of the White Primary Bill has been passed by the Executive Committee of the Christian Council of Atlanta. Sun.

Declaring that the committee "would look with favor upon a law requiring a reasonable educational qualification for voting," spokesmen stipulated, "we would insist, however, upon the fair and just application of this law to all of our people." 2-23-47

The resolution sets forth three reasons for the committee's objection to the White Primary Bill:

(1) "It is a brazen attempt to circumvent the Constitution of the United States . . . a corrupt statute the influence of which will corrupt our people.

(2) "It robs the State of Georgia of any legal right to control the election of its own officials.

(3) "The law violates the American principle that there should be no taxation without representation . . . prevents from voting in the so-called primary many of our people who are compelled to pay taxes and to bear arms in defense of their country."

WHITE VOTING LAW WORRIES GEORGIA

Rural Legislators Who Passed Bill to Bar Negroes Are Said to Fear Party Split

The Sun, Baltimore

Sun. 2-25-47

By JOHN N. POPHAM

Special to THE NEW YORK TIMES.

ATLANTA, Ga., Feb. 24—Rural legislators responsible for the recent enactment of this State's "white primary" law, though still stating their conviction that they were carrying out the wishes of their constituents, are in many instances reported to be "troubled" at the bitter party cleavage resulting from their decisions.

Some legislators who supported the white primary bill under which Negroes can be barred from voting in Democratic primaries, contend that their "political dilemma" stems from the fact that Eugene Talmadge, who died soon after his election as Governor last year, campaigned almost exclusively on the issue of "white supremacy."

Then a political paradox developed in the vote because of this State's county unit system governing primary elections. Mr. Talmadge received 297,245 votes and his principal opponent, James V. Carmichael, gained 313,384 votes.

However, Mr. Talmadge was nominated under the unit system whereby each county has from two to six unit votes, depending on its population. The winner in any county receives that county's unit votes.

Rural Vote Factor Raised

Mr. Carmichael won handily in the heavily populated urban counties, but the large unit votes in those counties were easily offset by the massing of small unit votes in the numerous but sparsely populated rural counties. Mr. Talmadge carried 105 of the State's 159 counties.

It is argued by some of the legislators that although the popular vote of the State would seem to be against "white supremacy" as an issue, they must be "politically practical" and recognize that they are elected in their respective counties and not on a State-wide vote.

Therefore, they say, if the rural counties were behind the white-supremacy program, they had to vote for the white primary bill regardless of their personal convictions.

hTere are reports here that a number of the rural legislators who supported the white primary bill have privately expressed themselves as believing that it is "bad legislation" and are worried about the mounting talk of a split in the Democartic party as a result.

The recent trend in the Deep South toward the white primary bills, designed to be more explicit in the provisions for banning Negro ovting in primaries, received its major impetus in April, 1944, when the United States Supreme Court ruled, in a test case from Texas, that so long as State laws provided for primary election machinery, a Negro could not be barred from voting in such primaries. Times

'The South Carolina Plan'

The first step to circumvent the Supreme Court decision was taken by South Carolina, which rescinded all State laws dealing with primary elections and thus converted the Democratic party into a private club or organization which would "legally" bar Negroes from taking part. New York, N.Y.

Georgia is the first State to follow what has become known as the "South Carolina plan." Its white primary bill, signed last week by Assembly-elected Governor Herman Talmadge, wipes out every State statute concerning primary elections.

In this State the question of whether the white primary bill is constitutional appears to have divided legal opinion about evenly. The proponents of the bill state that it places the Democratic party in the position of a private club and eliminates any State laws which could permit Federal Government intervention.

Opponents of the measure insist that in the legal field the action of the Legislature constitutes a "conspiracy" to deprive the Negro of his voting privileges in the light of the Supreme Court decision. They also argue that the 1944 Supreme Court decision has been interpreted by some as forbidding the denial of voting privileges to Negroes when the party primary is tantamount to election for candidates, as in the one-party States of the South.

A Church Decides

The Rev. Joseph Rabun today is without a pastorate. The McRae, Ga., Baptist Church voted Sunday to ask for his resignation. Without bitterness, the minister has indicated his willingness to leave. The request apparently said Rabun was asked to leave "for the good of the church." Thus the minister, who had the courage to suggest that some of the Talmadge creed was not in keeping with his concept of Christianity is feeling the pressure. Rabun doubtless was in tougher spots on Bougainville and on Guam. Some Talmadgites now may feel comfortable again in the McRae church—but probably others in the congregation will not.

37e(2) 1947 Georgia

THE PULSE OF THE PUBLIC

Linder's Type of Thinking

Editor Constitution: Under the caption, "Why a White Primary," Tom Linder has given an excellent illustration of crooked thinking. Seemingly, without knowing it, he has argued on both sides of the question. The result is a hodge podge of statements utterly incompatible. He says, for example, that "the question of a White Primary goes much deeper and is broader than the question of white and black. It is most unfortunate and regrettable that it has been given a whit and black implication." All of which is certainly true.

Linder then goes on with a most dogmatic discussion of the supposedly innate capacities of the various peoples for participation in our democratic form of governmen—a discussion entirely out of harmony with the conclusions of present-day psychology, anthropology, and the other sciences bearing on the question.

The American Psychological Association, for example, in a recent resolution, declared: "In the experiments which psychologists have made upon different people, no characteristic inherent phychological differences, which fundamentally distinguish so-called races, have been disclosed. . . .

Psychologists look elsewhere for the explanation of current racial hatred and persecution. . . . Racial and national attitudes are psychologically complex and cannot be understood except in terms of their economic, political and historical backgrounds. Psychologists find no basis for the explanation of such attitudes in terms of inbate differences between racial and national groups."

These are not "damnyankee" judgments expressed for some sectional purpose, but the deliberate conclusions of mental and social scientists. The outstanding psychologists, sociologists and anthropologists of the universities of the South do not question these conclusions of their fellow scientists. Yet Tom Linder, Georgia's Commissioner of Agriculture, declares that "different races are different in their mental processes to just as great an extent as they are different in color and different in features."

What Tom Linder was saying about the need to preserve democratic government was irrelevant to his position in the matter, for the White Primary Bill in the Georgia Legislature is intended by the politicians to destroy democracy even for the white citizens of the State.

W. HARDIN HUGHES.
College Park.

Answer to Linder

Editor Constitution: I have just read Mr. Tom Linder's letter for the tenth time and I am sure that I get his meaning. Indeed, it seems to have been taken, verbatim, from the Volkisshe Beobachter, in the days of Goebbels' greatest "glory."

Yes, I read this letter by the man who would destroy democracy in the name of democracy. And I tell you that I have long ago grown weary of people who base their religion or political philosophy on one verse from the Bible or one paragraph from a "doctored-up" history book. And I can tell him that America was built by many peoples of many races and faiths. Politicians to the contrary, this is not a Caucasian nation. The "unfit" people of whom he speaks, have helped to push the frontier from sea to sea. They have helped to make this country OUR COUNTRY — the world's leader in science and technology. These "unfit" people still strive to make her greater in spite of persons who would hold her down or set her back 100 years for the sake of "Heritage and Tradition." Need I remind him that the nearest thing to real democracy was in that little band that followed that young Jew from Nazareth?

No, friend Editor, Mr. Linder does not really believe in what he said. He said that for political expediency. And he does not mean what he said about bloc voting. For the South has bloc voted for 70 years. Can he deny that? May God have mercy on men like him when the people wake up and find out what they actually mean when they speak of a "White Primary."

I know that I write this at my peril.

JOSEPH GODBYE, JR.
Atlanta.

'Has Linder Forgotten?'

Editor Constitution: Tom Linder is right when he says the "question of a White Primary goes much deeper and is broader than the question of white and black." Apparently, he hopes to eventually exclude all races except the pure(??) white race. This is the same type of thinking that led Germany to her present state. Has he forgotten what happened to the ring leaders of that same type of thinking?

Of course, no educational test will be acceptable to the Talmadge followers. Too many of their supporters wouldn't be able to pass any test.

Democracy may not work for all countries. For the United States—that is what we want. That kind of government gives ALL OF ITS CITIZENS the right to vote.

JENNY LIND PETTYS.

Constitution Staff Photo—Pete Roton

COMMITTEE FAVORS WHITE PRIMARY—Former House Speaker Roy Harris, of Augusta, explains to the House State of Republic Committee a 34-page typewritten bill designed to restore the white primary in Georgia. The Committee unanimously favored its passage and clear sailing was seen for it in both Houses.

Harris-Made White Primary Bill Sails Through House Committee

Atlanta, Ga.

By M. L. ST. JOHN

The white primary bill began its way through the House yesterday, and its sponsors expect it to become law by the end of this week or first of next week.

The State of Republic Committee voted unanimously to report the bill favorably to the House this morning. It will lay on the table a day, and then be ready for debate tomorrow, Committee Chairman Roy McCracken, of Jefferson County, said.

McCracken said he did not expect anyone to offer debate against the bill. Both Gov. Herman Talmadge and Lt. Gov. M. E. Thompson have said they favor restoration of the white primary.

Predicting passage of the measure in the House tomorrow, McCracken foresaw Senate passage of the white primary bill late this week or early next week.

In the State of Republic Committee Hearing in the House, Former Speaker Roy Harris, who prepared the bill, discussed the measure designed to restore the white Democratic primary in Georgia.

Harris said the bill (House Bill No. 13) would repeal all State control of the primary, but would keep the laws against fraud in all elections—primary as well as general election. It includes a provision to knock out all laws giving cities control of primaries. It repeals the Soldier Vote Law.

The Former Speaker said he does not consider the bill discriminatory against the Negroes. It makes it possible, he remarked, for both races to live in Georgia in peace and harmony. It requires segregation of the races instead of permitting mingling of the races, Harris added.

"This is the only way we can prevent one man from voting 300,600 Negroes," Harris continued. "And this man is dictated to by the CIO, Henry Wallace, and the Reds and the pinks."

By repealing State control of the primary, Harris said the primary would become a "party affair," and thereby will not, under the Federal courts ruling, permit Negroes to vote when the State controls elections. He said the Democratic Convention already has adopted rules governing the primary and preserving the county unit system.

The 34-page typewritten bill was introduced by Speaker Fred Hand and bore the signatures of 70 House members.

Causey also introduced a bill to provide for collection of property taxes on motor vehicles at the same time they are licensed. This was taken by Rep. Homer Causey, of Bacon County, intro-duced a sales tax bill.

The bill (House Bill No. 7) also went to the Ways and Means Committee, where it was referred to the Ways and Means Committee. However, no action could be taken since the organization of committees will not be completed until today.

A constitutional amendment to prohibit the closed shop in labor union agreements in Georgia was introduced in the House by Reps. Thereon Jennings and W. G. Pearlman, of Sumter County; Herschel Lovett, of Laurens; W. B. Williams, of Jones; Grady Leverette, Sr., of Putnam, and J. L. Black, of Webster. Jennings and Lovett were authors of a similar amendment which was defeated in a bitter fight in the House in 1945.

A bill to strengthen the qualifications of voters was introduced by Rep. Jennings. The measure (House Bill No. 11-12B) was referred to the Amendments to the Constitution Committee No. 2.

Two compulsion measures, joint

resolutions calling for Constitutional amendments, were offered by Rep. Twitty, of Mitchell, and 16 others to clarify the succession to the Governorship in event the Governor-Elect dies before inauguration. These resolutions (10-12A) would provide that the Legislature would call a special election within 60 days after it met. In the meantime, the incumbent Governor would hold over. These resolutions were Numbers 12-12A.

Another resolution (12-12C) would change the Constitution to provide that the Legislature in declaring the election of the Governor would do so on the basis of county unit votes instead of majority vote as at present.

Rep. Jack Flynt, of Spalding, and Rep. Pierre Howard, of DeKalb, and 14 others introduced a resolution (14-12E) asking the General Assembly immediately to call a special election for Governor, to be held on the Wednesday nearest 60 days after approval. Under this bill all political parties would be entitled to nominate.

'Best for Both'

Editor Constitution: The Constitution and myself came into existence about the same time. The first time we took any stock in politics was when Tilden and Hayes ran for President. It was dangerous for a man to say he was a Republican then in our neighborhood.

An old Negro woman on the place thought so much of me I called her black mammy. Yet I favor a White Primary, believing it will be best for both races in country counties.

People in a city live off each other. People in the country live off the farms. Happening to be a white man in the country I am going to stick to my crowd of believing it best for Negroes and whites both.

PARKS COUSINS

State To Get White Primary Eventually, Talmadge Vows

Despite Acting Gov. Thompson's veto of the White Primary Bill, Herman Talmadge promised Thursday that Georgians eventually will get a white primary.

Thompson's erstwhile rival claimant to the governorship who was ousted from office by the State Supreme Court after he had approved the White Primary Bill, said in his law office in downtown Atlanta:

"I knew Mr. Thompson would veto the White Primary Bill all the time. He wrote a book several years ago in which he stated his opposition to a White Primary at that time.

"I knew it was my duty to become a candidate for Governor before the General Assembly. In this campaign Mr. Thompson stated he favored the White Primary Bill. Now he has vetoed it.

"I was elected by the General Assembly in accordance with the Constitution of this State. The Supreme Court elected Mr. Thompson.

"The overwhelming majority of the people of Georgia want a White Primary. The issue in 1948 will be the same as the issue last Summer. The people of Georgia will get a White Primary."

Meanwhile, approval of Thompson's action was voiced by Rep. Bill Morris, Augusta publisher and temporary chairman of the "State Democratic Party" which was organized by leaders of the anti-Talmadge "Aroused Citizens of Georgia" movement.

"With all that M. E. Thompson stands for," said Morris, "he could not have broken faith with the real Democrats of Georgia. It is no surprise to us that he vetoed the 'No Primary Bill.' The real Democrats realize this will give the 'Harris-Talmadge Axis' its first plank in their 1948 platform, but the right-thinking people of Georgia are not afraid of this issue. Actually the so-called White Primary bill was a Roy Harris bill designed to establish a State-wide Cracker Party to perpetuate itself in office."

Sen. Pres. Pro Tem Bill Dean, of Conyers, said, "I am delighted the 'No Primary Bill' was vetoed, because it leaves the County Unit System protected by State law. I am for the County Unit System, first, last and always."

Muscogee Rep. J. Robert Elliott, Talmadge floor leader in the last General Assembly, cited Thompson's veto of the White Primary Bill as establishing the issue for the 1948 election.

His comment: "I'm not surprised. I have never doubted that he would veto it. This simply means that the issue in the election of 1948 wil be the same as it was last year—the white primary. Thompson is opposed to the white primary and Talmadge is for it."

House Speaker Fred Hand, of Pelham, said:

"We expected the veto. However, it is hard for us to understand how Thompson could veto the White Primary Bill when it was drawn with his complete knowledge, consent, co-operation and approval."

Mr. Thompson Shows Courage

Acting Gov. Melvin Ernest Thompson yesterday vetoed the so-called "white primary" bill.

He signed two labor bills, one outlawing the closed shop in Georgia, the other banning the check-off (deduction of union dues by the employer from the worker's pay check).

We congratulate Mr. Thompson on his courage.

We believe he has acted properly and in the best interests of the whole people.

The white primary bill, which The Atlanta Constitution opposed from the outset, was not a white primary bill. It provided for the disfranchisement of anyone, white or colored, whom the party in power chose to disqualify. It was a vicious bill, destroying the rights of legal citizens of whatever color.

It stripped the people of any and all protection of law. It left the primary elections absolutely at the mercy of the faction in power.

The Constitution could not in good conscience go along with any bill which destroys the protection of law. We do not believe even the Talmadge faction will again present so extreme a measure to any Legislature, even though the immediate outcry against the veto will be great.

It enfranchised corruption and chaos as it disfranchised a whole people. It was, without question, unconstitutional.

We commend, unreservedly, the veto. We urge upon those who proposed it that they wait until the Supreme Court of the United States has passed upon the validity of the South Carolina law, after which the Georgia bill was modeled. It is sure to be declared unconstitutional, and the State may then determine what course it wishes to take in the next gubernatorial campaign.

Acting Gov. Thompson is in a somewhat embarrassing position, largely because he formerly had pledged himself to sign a white primary bill. Indeed, he is said to have helped prepare it. His message is expected to say that the bill was changed into something he and the late Eugene Talmadge did not plan or anticipate and that he could not, in conscience, sign it.

Whatever the reason, he showed courage in changing his mind.

In so doing he gives to the Talmadge faction a charge of breaking his pledged word, but he protects the ballot by retention of the Neil primary laws, which the late Eugene Talmadge helped strengthen, and that is as it should be.

There will be general agreement with his decision to sign the labor bills, because they represent the expressed will of a great majority of the people.

The bills themselves may be faulty. Indeed, we believe at least some parts of them will be in conflict with Federal law and therefore the bills may become void. It might have been better to wait until the Congress had acted, but labor must reflect on the fact that it was an aroused public opinion which forced the Legislature to adopt anti-labor legislation.

The Acting Governor acted courageously and forthrightly.

Longstreet's Widow Backs Negro Voting

From Wire Dispatches.

Atlanta, Feb. 6.—The widow of a famous general of the Confederacy urged the Georgia Legislature today to bury Herman Talmadge's bill to bar Negroes from voting "so deep it can never be resurrected."

Tiny, white-haired Mrs. James H. Longstreet, whose husband was one of Robert E. Lee's chief lieutenants, appeared at the Senate Judiciary Committee hearing on the white-primary bill and asked to be heard.

She then read an impassioned speech asserting that "a race that can produce a George Washington Carver and a Booker T. Washington already has paid the price in service to their country of the highest privilege of American citizenship—which is the ballot."

Worked In Bomber Plant.

Mrs. Longstreet has been prominent in Southern affairs since her husband's death around the turn of the century. She refuses to tell her age, but she was active enough in the last war to don overalls and work at the Bell bomber plant in Marietta, where she now resides.

Meanwhile, Superior Court Judge Almand held it was not the responsibility of the State Treasurer to challenge the legality of Redwine's title. He ordered Treasurer George B. Hamilton to accept tax collections from a Talmadge-appointed revenue commissioner. Almand specifically declared, however, that checks for approximately $5,000,000 had no bearing on his judgment in tax collections because he claimed to do so would recognize Governor Talmadge's authority to appoint him.

Ruling in favor of Charles Redwine, whom Herman Talmadge appointed as revenue commis-

Associated Press Wirephoto.

MRS. JAMES LONGSTREET

Primary Hearing Bars Negroes

Constitution, Atlanta, Ga. 37e(2) Sunday 2-9-47

By JOHN COURIC

Dominating initial Senate hearings on his proposed white primary bill, Former House Speaker Roy V. Harris Monday denied charges that he aspires to "Statewide political dictatorship" but admitted the companion bill proposing a general election registration fee is a poll tax.

Harris, chief lieutenant of Herman Talmadge and ex-legislator from Richmond County, spoke for one hour and 40 minutes at the Special Judiciary Committee hearing. Negroes were barred.

Re-enactment of the "registration fee" was forecast by Harris, who emphasized that this fee would be for general election voting and would go into governmental coffers and not into the Democratic Party's purse.

He explained the Party's tie-in with the registration fee when he pointed out Party officials would obtain their basic list of voters from State registrars.

A bill providing for $1 registration fee for the General Election every two years is under legislative consideration at present.

Georgia's poll tax was repealed in 1945, in the administration of Gov. Ellis Arnall.

Harris scoffed at charges he was seeking to become "political dictator of Georgia" through the White Primary Bill and claimed his only interest in the legislation is to help Gov. Herman Talmadge.

The Rev. W. C. Moseley, retired Atlanta minister, joining Harris in advocating passage, declared:

"The Negroes will treat us with respect if we treat them with respect. But they are a different people and they are not competent to govern themselves."

Meanwhile, ministerial groups in Atlanta, Macon and Columbus held meetings Monday to discuss the proposed bill denying Negroes the right to vote in Georgia primaries. Macon and Columbus ministers voted opposition to the bill.

The special Judiciary Committee decided not to hear Negroes during a five-minute recess of the Senate session Monday. Chairman I. B. G. Logan, of Homer, 33rd District, announced the Committee's decision before the Senate and said the ruling was voted to "prevent mixing of the races."

He said Negroes would be allowed to express themselves through written communications.

The written report of the Committee follows:

"Due to the importance of the legislation and the limited time allowed for the public meeting and hearing, the hearings shall be limited to white citizens of the State and any other groups are request their position by letter, petition or brief."

Several Negro leaders had asked to be heard in opposition to the bill.

Harris' scoffing was in reply to charges by his political opposition, who said the White Primary Bill would permit organization of a State-wide political machine as strong as the Cracker Party which ruled Augusta and Richmond County for many years. Harris lost his seat in the State Legislature only when the whole party was defeated at the polls.

Constitution

"I'm not trying to be a dictator, I don't want to be a dictator," Harris said. "Gov. Talmadge asked me to help him on the white primary when he became ill last summer and then later I helped his son. I am not employed by anyone and I am paying my own hotel bills."

Harris commented that he never saw anything in his Bible saying "the lowly Nazarene advocated social equality and I don't think there's anything un-Christian about my attitude."

Atlanta, Ga.

He jovially commented on his own local political beating. "We got licked then but we won't get licked next time," he said.

"I have to stand up every day and take it from the newspapers with their most damnable cartoons. So I can't help paying my respects when I can to Ohio Jim Cox and the Atlanta Journal.

He then went on to say that he did not become "the darkest, meanest politican until I opposed Ellis Arnall's move to run for Governor again." However, he continued, "my hide is thick. I've seen most of the folks around the State Capitol all come and go and I'll still be hanging around when most are gone."

Sun. a-9-47

Also speaking for the white primary was Emory Travis, of Riverdale, who called the White Primary Bill "the only protection for the Negroes and the white people of Georgia."

Opponents of the bill will have their say today and Thursday. The proponents of the bill will be heard again on Wednesday.

A delegation of 24 Carroll Countians appeared as the first witnesses before the Committee. They were introduced by Rep. Willis Smith, of that county, and their spokesman was Dr. O. W. Roberts, of Carrollton.

"The 2,620 white voters of Carroll County want a white primary," Dr. Roberts said. "We know the white man is the Negro's best friend on earth. The white primary is best for the Negro as well as the white man."

"Do you want this white primary bill?" Sen. J. H. Woodall, Woodland, Twenty-fifth District, asked the physician.

"Yes," he replied.

Harris was questioned frequently and duelled verbally with members of the Committee over portions of his bill.

After Harris had said the Democratic Party could not expel any white democrat from its membership, Sen. R. G. Daniell, Sr., of Metter, 49th District, asked him about a resolution passed at the last State Democratic Convention in Macon concerning State officials who declined to remove Mrs. Helen Douglas Mankin's name from the general election ballot in the Fifth District Congressional race.

"Didn't that rule those officials out of the party?" Daniell asked.

"It did not," Harris replied. "I read the newspaper accounts, but the resolution just said that they should follow the mandates of the party."

"I'm not talking about the newspaper accounts," Daniell shot back. "I was sitting within 20 feet of you when that resolution was introduced."

Daniell then said he was aware that some had said the Special Judiciary Committee is stacked against the white primary.

"That didn't come from this side," Harris replied. "But I realize that such reports made some of the friends of the white primary jittery."

"It didn't make me jittery, it just made me mad," Daniell, who described himself as favoring a white primary, said.

Harris went on to explain that he has the utmost confidence in the integrity of the Committee.

Harris, in replies to many questions, continually asserted that the rules of the Democratic party in the white primary measure were taken verbatim from the Georgia Code. He said that all legal regulations for primaries which are being removed from the statute books are incorporated in the party rules.

Sunday

"While the State cannot adopt a party, the party can adopt the laws of the State in its rules," Harris declared.

2-4-47

Harris parried questions from Sen. Everett Milican, Atlanta, 52d District, who asked if repeal of the primary laws did not repeal also the laws regarding the general election. Harris said no and declared it only repealed those portions of State laws affecting the primaries.

Earlier, during the Senate session, a Talmadge spokesman, Sen. Spence Grayson, Savannah, First District, spoke in praise of the Special Judiciary Committee and denied reports circulated throughout political circles and in the press that the Talmadge forces would seek to recommit the White Primary Bill to another committee.

According to the reports, Talmadge forces had considered the public hearings only delaying tactics and wished the White Primary Bill transferred to the State of Republic Committee, which is dominated by Talmadge supporters.

Constitution

"I would not want to reflect on the Committee (Special Judiciary) or show distrust," Grayson said. "I have no objections to the hearings."

Avoid Primary Hearings, Christian Council Advised

Repercussions of the white primary issue were heard at a meeting of the Atlanta Christian Council Monday when W. S. Stokely Northcutt, a College Park attorney, opposed a suggestion by the Rev. Marshall Nelms, Pastor of the Capitol Avenue Baptist Church, that the Council attend the Senate hearings on the bill.

Northcutt, who identified himself as a former law partner of Gov. Herman Talmadge and a close friend of Lt.-Gov. M. E. Thompson, said the Christian Council should in no way try to influence any action of the General Assembly. He insisted it is a political matter concerning which men of religious faith should acquire all possible knowledge, yet not interfere; he himself intimated his preference for a substitute bill.

White Primary Called Unchristian by Pastors

MACON, Feb. 3—(AP)—The Macon Ministerial Association Monday morning adopted a strongly worded resolution condemning the white primary as unchristian and opposed to the teachings of Christ.

Fred B. Hooks, President of the Association, said following a meeting of the group that such legislation as that proposed by the Georgia General Assembly was decried by the resoluton.

"The white primary is opposed to the teachings, principles and ideals of Christ," the resolution said. Hooks said that the resolution has the approval of all ministers attending the meeting and representing the majority of Macon's churches.

37e(2)

Ministers Oppose White Primary Bill

Constitution State News Service.

COLUMBUS, Feb. 3—The Columbus-Phenix City Ministeral Alliance went on record 23-2 against the proposed Georgia White Primary Bill Monday, after an interchange between advocates of the resolution and dissenters.

The Rev. J. Ed Fain, Methodist Superintendent of the Columbus District, spoke for the resolution to condemn the Primary Bill as a threat to the Australian ballot.

"Politics in religion can ruin the church," he asserted, "but we ought to inject religion into politics."

37e(2)

The Rev. E. T. Dawson, Baptist minister, opposed the organization's censure of the primary proposal.

Talmadge Crowd Backs White Primary Bill

Constitution, Atlanta, Ga. Sunday, 2-6-47

High officials of the Talmadge administration, led by Gov. Herman Talmadge, went to bat for the Harris White Primary Bill Wednesday as the State Senate's Special Judiciary Committee held its third day of hearings on the measure.

Talmadge delivered a short speech. He concentrated on a Federal Court decision by Judge Samuel Sibley which held that Negroes can be barred from Democratic primaries if this type is divorced from the State's law books.

In addition to private citizens who spoke, Talmadge was backed up by Tom Linder, Commissioner of Agriculture; James S. Peters, of Manchester, Chairman of the State Democratic Executive Committee, and Compt. Gen. Zack

Cravey, long-time personal friend of the late Eugene Talmadge.

All urged the Committee to approve the bill as written, saying the measure was indorsed by Georgians in last Summer's primary and by the State Democratic Convention last Fall.

The speakers expressed a desire to see justice done to the Negro race, but said they did not believe Negroes should be allowed to vote in the same party with the white persons.

If dishonesty develops in primary elections, under the Harris proposal, Peters said, it will come from white persons, "and you can't tell me," he commented, "white voters want dishonesty. It's pure bunk, and an effort to mislead."

Cravey and Peters said statutes of the Senate Committee to these crimes if committed within the Democratic Party. However, he asked the Democratic primaries had been left on books, and would be applicable to these county primaries. These county primaries they asserted, are not regulated by statute law and are run honestly.

corruption will remain on the

Discussing what he termed misleading presentations of the white primary issue, Peters attacked the "great dailies" of the State, and accused them of placing the issue before Georgians unfairly. The Constitution

Commissioner Linder said he appeared after reading in newspapers statements of opponents of the White Primary. He spoke in favor of the measure and then turned to the subject of race relations. Atlanta, Ga.

Relating accounts of racial disorders in Chicago and Detroit, Linder said these riots did not attract great attention because such things are common in the North.

He then turned to the mass slaying of four Negroes in "a County in Georgia." Not only did these deaths attract national attention, he said, but "the Federal Courts and the FBI spent a whole season trying to stir up the people of the nation." 2-6-47

Linder expressed his feeling for the Negro race but termed them incapable of self-government. Only Caucasians have produced great democracies, he said.

New York and Chicago have totalitarian governments in the form of political machines because these cities are made up of a mixture of races, Linder continued. And this is "the only way" to govern such a mixed population, he added. Linder said that democracy could function in Georgia with the white race in absolute control of the government.

The Rev. Jack Johnston, Pastor of the Baptist Tabernacle in Columbus, flayed ministers of Atlanta, Macon, and Columbus, for their opposition to the Harris White Primary Bill. Wed. 2-6-47

"God's curse is on those who would break this command 'that the races don't mix.'"

Others who spoke included J. H. Parham, for eight years a member of the Legislature from Heard County; James R. Dean, of Atlanta; Joseph M. Wallace, of Atlanta; Miss Grace Connally, of Atlanta; Rep. J. J. Bennett, of Barrow County; H. G. Hill, Atlanta minister. 372(2) Ga.

Ministers Disapprove White Primary Bill

The members of the LaGrange Ministerial Association have unanimously voted disapproval of the White Primary Bill now before the General Assembly, and termed it "un-Christian, unwise, undemocratic, unconstitutional."

Scott Protests Bar Of Negroes at Hearing

The Constitution

C. A. Scott, Editor-General Manager of the Atlanta Daily World, Negro newspaper, Wednesday released a letter registering his protest to the State Senate's Special Judiciary Committee for barring Negroes from hearings on the Harris White Primary Bill. Atlanta, Ga.

Scott said he was one of several Negroes who Tuesday were denied entrance to the Senate gallery when they attempted to listen to discussion on the measure.

He also released a copy of his objections to the Bill which included the statement that the Negro would be taxed without representation if not allowed to participate in Democratic Primaries, which are tantamount to elections in Georgia. Scott also said he feared passage of the Bill "will disturb the comparatively good relationship that has existed between the two racial groups."

McDuffie Group Denounces Arnall

Thus 372(2) Ga.

In a mass meeting at Thomson, 478 residents of McDuffie County adopted a resolution condemning Ellis Arnall for "trampling the fine Southern traditions underfoot, particularly the tradition of White Supremacy." 2-6-47

In another resolution, the meeting denounced as "deceptive" the "propaganda" that white ministers had deplored the White Primary Bill, "because no congregation had authorized its ministers to make such statements."

THE PULSE OF THE PUBLIC

The Constitution 372(2)

Linder's Excuse

Editor Constitution: Mr. Tom Linder is obviously trying to excuse himself and his kind by tracing "white democracy" back several centuries to defend the idea of white supremacy. "God hath made of one blood all nations of men for to dwell on the face of the earth." That statement proves that white supremacy is not a fact, but rather an idea in the minds of those who would have power at any cost. Atlanta, Ga.

Maybe bloc voting is a menace, but a necessary one for Negroes as long as there are candidates placed before the public who aspire to a prejudiced dictatorship.

Mr. Linder, would you say Jesus Christ's form of government is unworkable? He was a Jew, you know.

MRS. GLADYS LEE.
Atlanta.

Appalled at Linder

Editor Constitution: I have just read a letter by Tom Linder, which was published in The Constitution on Feb. 3. I was appalled by the fact that a man who has risen to a high office in our State has the ridiculous and dangerous beliefs that he expresses.

These beliefs he expresses are those deeply instilled by Adolf Hitler in the hearts and minds of his countrymen—that one race is superior and therefore should rule.

I am no "nigger lover," but I feel deep resentment of this mass production method of declaring all races except the Caucasian unfit to participate in the backbone of our democracy—the vote of the common man. Mr. Linder states that the yellow people, the brown people and the blacks are mentally unfit for directors in our form of government. JOHN PAYNE.
Danielsville.

From Mein Kampf?

Editor Constitution: Congratulations to Tom Linder for his letter in the Pulse of the Public pointing out the inherent political superiority of the Nordic peoples over the Latin, Semitic and Hamitic peoples. It read like a page out of that Bible of all true democrats, "Mein Kampf."

The truth of his discussion is indicated by the much greater success of democracy in Germany, which is inhabited by true Aryans, than in this country, whose population has been polluted by the aforementioned inferior races.

Therefore, it is imperative for all inherently democratic Anglo-Saxon Georgians to unite under Herman Talmadge for the preservation of democracy, as the democratic Germans did under Adolf Hitler.

DONALD MELNICK,
WARREN ROBERTS.
Dublin. Thurs 2-6-47

On the Air

Editor Constitution: I just heard Ellis Arnall on "Information Please." The program was an entertaining display of wit and knowledge, during which Mr. Arnall outdid the experts. I suggest that "Hummon," not to be outdone, should apply for recognition on some similar program. How about trying "It Pays To Be Ignorant," "Hummon"?

ROBERT C. BALFOUR.
Athens.

From the Bible

Editor Constitution: Maybe Mr. Linder will read Luke 19:2-10, but especially Luke 5:

"And when Jesus came to the place He looked up and saw him and said unto him, 'Zacchaeus, make haste, and come down; for today I must abide at thy house.'"

I cannot understand a man as head of the Agricultural Department, the closest and the earliest communication between God and man, that could write such a letter unless he was short of stature.

Down through the ages as Mr. Linder attempted to show with his "History and Statistics" even said, God made the races as they were. I'm so glad that Georgia's law still lets us serve the "just God" and not the one Tom Linder serves and some of the Caucasian race serves, many do not. As I have always believed the true and living God was just.

CORNELIA B. ANDERSON.
Atlanta. Mon. 2-6-47

Hitler Alive?

Editor Constitution: I believed as well as many others that Hitler was dead, but here in Georgia the same thing is happening as it did in Germany a few years ago. Then I said, "Hitler is alive"—for how can any person in America that calls himself a citizen, think he has the right to deny any person because of race or color their legal rights upon the constitution of our nation. That individual is not to be trusted.

So wake up! Wake up! That must not happen here.

RICHARD W. LOGAN.
Atlanta.

Thompson and the White Primary

The Constitution

The Atlanta Constitution consistently has opposed repeal of legal safeguards in an effort to effectuate a White Primary in Georgia.

We opposed the candidate who sponsored it in last Summer's gubernatorial campaign. We pointed out the inherent dangers at the time the Democratic Convention made it a part of its platform. And we urged that the Legislature refuse to be a party to the subterfuge aimed at disfranchising not only the Negro but also many of the Whites as those who controlled the party machinery saw fit.

Thus we were afforded considerable pleasure on yesterday to learn that Acting Governor Thompson also is opposed to the White Primary bill—as passed by the Legislature—and that he apparently intends to veto it.

There will, of course, be those who—remembering Mr. Thompson's pledge of support to the measure both before and after the death of Gov. Talmadge—will seek to embarrass him by recalling it. But his explanation of yesterday will satisfy all but the partisan and they could not be convinced under any circumstances.

Moreover, Acting Governor Thompson's position of knowing that, while his has undeniably been a vacillating position on the issue, at least he has turned up on the right side at the right time.

Several cases are now pending in the Supreme Court of the United States which would have been nominated for governor last year instead of the late Eugene Talmadge and would have owed his election to 97,000 negroes who in a bloc voted for him. The negroes would now have the balance of power in Georgia's party and Democratic government. There is danger to white parties in all of the Southern states. In each and all of them is scalawag material.

As to his suggestion that the Legislature provide a "White Primary" by enactment of legislation at the segregation at the franchising Negro too, a subterfuge many of the Whites on voting it troll the party machinery saw fit. and commend the Senate down.

Meanwhile, we agree thoroughly with Acting Governor Thompson that the White Primary measure enacted by the Legislature is unworthy and

Contagion from Georgia

The Atlanta Constitution

In Georgia is opposition to the "White man's party." There may be two parties in Georgia—and Georgia has more negroes than has any other American state. Had the county unit rule not governed the Democratic party in Georgia, Mr. Carmichael would have been nominated for governor last year instead of the late Eugene Talmadge and would have owed his election to 97,000 negroes who in a bloc voted for him. The negroes would now have the balance of power in Georgia's party and Democratic government. There is danger to white parties in all of the Southern states. In each and all of them is scalawag material.

The Georgia 'White Primary' Fraud

From an editorial in The Atlanta Journal

JUST what is the so-called "White Primary Bill," and what would be its effect on the suffrage rights of the white Democratic citizens of Georgia? Let the measure speak first for itself through its own title, which reads as follows:

"An act to repeal all laws or parts of laws providing the method and manner of holding primary elections by any political party . . . so as to completely divorce the State of Georgia from having anything to do, in any shape or form, with the holding of primary elections," etc.

The laws thus to be repealed were enacted to ensure fair and honest primary elections, to safeguard our common rights as voters, to prevent ballot boxes from being "stuffed" or tampered with, to provide just and orderly means of filing returns and of settling contests—in short, to make the primary a trustworthy instrument of democratic government.

The bill would convert the Democratic party into a private political club, unaccountable to the commonwealth and subject, in fact, if not in theory, to the rule of one man or one small group of politicians.

This bill repeals, for example, the law concerning registration lists for the primary and leaves it to county party committees to determine, as they please, who shall and shall not vote.

It repeals the law which says that the voter shall have privacy while he is marking his ballot.

It repeals the law which requires that ballot boxes shall be empty before voting and locked or sealed during voting, together with provisions for a public certification of the results.

It repeals the law which prescribes that election returns, including tally sheets, lists of voters, ballots, etc., shall be filed with clerks of Superior courts. Instead, they are to be handed over to a private party official. Under the existing law, if a recount is demanded, the committee for that purpose is composed of a representative of each of the candidates involved and the judge of the adjacent Superior court circuit. This fair provision is to be repealed so that the third member of the recount committee, instead of being a Superior court judge, would be appointed by the State Democratic committee chairman.

One section of this dangerous measure goes so far as to repeal, in respect to primaries, laws which forbid the buying and selling of votes.

And how would this private political club into which it is proposed to convert the Democratic party be financed? One report is that the "present high command" has in mind a $2 "party registration fee," payable every two years. Estimates are that the scheme would amass something like a million dollars between primary elections for governor, all of which would be in the coffers of the "high command" and subject to no legal control whatsoever. Whether a serious attempt to create and capture this vast booty will be made, we do not know. But as a matter of fact the pending bill repeals for primaries the present $25,000 limit on campaign expenditures and also abolishes the absentee ballot and the soldier ballot law.

'THIS MONSTROUS MEASURE'

White Primary Bill Hit as 'Dictatorship' By Longstreet Widow

By JOHN COURIC

A quavering voice from the Confederacy spoke out against the Harris White Primary Bill Thursday as the frail little widow of one of Gen. Robert E. Lee's lieutenants urged the turning "of the scorn of honest men against this monstrous measure."

Mrs. Helen Dortch Longstreet, widow of Confederate Gen. James Longstreet, pleaded with the State Senate's Special Judiciary Committee to kill the Harris measure which "would set up dictatorship under the lying guise of white supremacy."

Her voice shaking with emotion, the petite Georgian said she appeared only because of the call of duty "within my soul."

Wearing a natty black hat and hardly showing a wrinkle in her face, Mrs. Longstreet, with her fervor and sincerity, stole the spotlight at the last public hearing on the bill to bar Negroes from voting in Democratic primaries.

When she concluded, the Senate chamber rocked with applause and many of the men stood in her honor.

Although her voice quavered, she spoke clearly and, with the aid of a microphone, her remarks were audible throughout the Senate chamber.

She traced her connection with the Jeffersonian Democratic Party in Georgia, and told of the election of Gen. John Brown Gordon on that Party's ticket. While she talked, one of Gen. Gordon's namesakes, Committee Chairman John Brown Gordon Logan, sat in the presiding officer's desk behind her.

Fervently she recalled how she opposed Populism and said that while editor of a North Georgia paper, she was threatened and told that her shop would be burned. She recalled she was not frightened into leaving the State and indicated she would continue to fight for her principles.

"While I talk," she added, "I want to give a word of hope to the colored people of the United States who have produced a George Washington Carver and a Booker Washington. I also want to say that the colored race furnished no conscientious objectors in World War I. When they were called they came."

The General's Lady explained she knew this because she was with the War Risk Insurance Bureau during World War I.

In World War II, she donned slacks and head kerchiefs and helped build B-29s at the Bell Bomber plant in Marietta.

Her prepared speech would have taken 20 minutes but she and other speakers were asked to confine their remarks to 10-minute periods.

Mrs. Longstreet exercised a woman's prerogative and refused to disclose her age.

First speaker at the hearing was Robert E. Hawkes, Savannah port agent of the National Maritime Union, CIO. Hawkes said that Georgia furnished more merchant seamen than any other State in proportion to its population. He asked the Senate to defeat the Harris measure for the seamen "who lie in watery graves."

The NMU official flayed the forces who favor the Harris White Primary Bill, declaring: "While Talmadge and his clique rail against the outsiders, the furriners and the Yankees, they, themselves, serve the best interests of the real outside enemies of Georgia by raising false issues to divide our people."

Hawkes originally was to speak against the Bill Tuesday but he later relinquished his time on that date. At Tuesday's hearing he sought unsuccessfully to have Negroes admitted to the hearings.

E. B. McKenstry, of Columbus, a former rifle company commander in World War II, appeared, but "for myself and not for veterans." He termed the Bill, written by former House Speaker Roy V. Harris, of Richmond County, as "un-Christian, unconstitutional, and a fraud because it is a machine primary bill and not a white primary bill."

Scott Nixon, of Augusta, described himself as a native Democrat and Protestant who had always voted for Democratic candidates, including Al Smith. He discussed the battle against the Cracker Party in Richmond County and said until beaten it was a "job-holding syndicate." Nixon urged the strengthening, not repeal, of primary laws. "Enforce qualifications," he also declared.

If the "Harris Primary" goes into action, Nixon said, Georgia will have a "job-holding syndicate for the entire State."

Mayor J. B. Atkinson, of Greenville, declared: "We are in a bad fix in Georgia when we have to accept the dictates of a man who was repudiated by the people who know him best. I don't know Mr. Harris. He may be pure as driven snow and white as a lily, but the people who know him best say 'No'."

Atkinson said the present State Democratic Executive Committee has promised "a benevolent despotism." He added: "What I want to know is who is going to rule after this benevolent crowd gets out?"

Atkinson scoffed at the contention of Talmadge forces that they have a mandate from the people to pass the Harris Bill.

"They may have a mandate from the County unit system but they have no mandate from the people," he continued. Then he said this bill would even destroy the County unit system.

Others who spoke included Dick Dillard, of Toccoa, and R. M. Hamby, of Atlanta.

(ALBANY HERALD)

. . . Thus, many Georgians are coming to regard this White Primary Bill with considerable suspicion. We can all agree that the sanctity of the ballot must be protected against the worst features of Negro block voting. But is this the sole purpose of Georgia's political spoilsmen who have shaped the bill to their own advantage? From our examination of the bill, there seems to be more behind the measure than is actually in it. For one thing, this bill would remove many vital safeguards protecting the voting rights of the citizens of this State. For another, it would bring to the attention of a Republican-dominated national Congress the opportunity to support white supremacy while can be governed by the Constitution and statutes of this State and not by any possible hijacking coalition of greedy and unwholesome politicians. The appeal to the prejudices of our people on the basis of their determination

(THOMASVILLE TIMES-ENTERPRISE)

. . . If we can only secure a . . . white primary at the sacrifice of our basic and inherent rights and the stultification of our honest expression, it is time that the people speak out and demand that no primary system can be made to work. If the present primary law is abolished and a new law in Georgia be ever held unless it is amended with certain restrictions as to qualifications for voting, the bandwagon when they see one. . . .

GEORGIA EDITORS SAY:

About the White Primary

(THE ALMA TIMES)

There are people in Georgia who will not vote in a Talmadge primary, but confine their ballots to the general elections if all laws governing primaries are abolished. The number of people in this potential category is great enough to prove a damaging blow to the Democratic Party in Georgia, as we know it today.

(COMMERCE NEWS)

. . . The bill really sets up a political dynasty, as we see it, which will have no peer in the United States. The club will be the supreme power in every primary and unless one is not in the favor of the club his right of franchise may be denied him.

We honestly believe that the voters of Georgia who cast their ballots for the late Eugene Talmadge had no idea that the laws governing our primary would all be repealed and that a "dictatorship" would be set up by the General Assembly under the guise of the White Primary Bill. . . .

enslaving them for the benefit of one man or his group of stooges and sycophants is more intolerable than any condition we have yet faced. It is unworthy of the dignity and the rights of our people and while it could be operated on a sane basis, it is too studded with the temptations, that political frenzy may dictate, to be tolerable. Constitution

(ROY EMMET, CEDARTOWN STANDARD)

. . . The exclusion of the Negro from the polls in primaries may quite possibly be the red herring drawn across the trail by those who are building a political machine that will rule Georgia with an iron and unscrupulous hand.

(CANTON TRIBUNE)

Some of our lawmakers and office holders who are advocating repeal of all State laws regulating primary elections, thereby having a white primary, will wail loudest and longest when some person, stimulated by impunity, runs off with the ballot box and steals the election from them.

(CARTERSVILLE HERALD)

The white primary law that is being forced upon the people of Georgia is a fraud. A selfish group is using the fear of the people of this State of the Negro to take control of all election machinery and to perpetrate themselves in power until death. . . .

Passage of this so-called "White Primary" Bill in its present form, if it is allowed to become law—and it will become law is Herman Talmadge is Governor—will be the most dangerous backward step Georgia has taken in the history of this State. Atlanta, Ga.

WHY A FEE?

(Elberton Star.)

The "white" primary bill which has passed the House provides for a dollar a year registration fee. Amidst much acclaim at home and abroad, the poll tax was voted out in Georgia. There seems to be little if any difference between this registration fee and the poll tax. If the purpose of repealing the poll tax was to provide for more voters, what can be the purpose of reinstating it by means of this registration fee, if not to deprive many from voting? And if the primary is to be a "white" one, free of any legal constraint, why isn't the provision by the legislature of a registration fee a legal act? Tues. 2-4-47

GLADSTONE WILLIAMS

The Constitution

Thompson Veto Pleases Congressmen

Atlanta, Ga.

3-28 4-1-47

WASHINGTON—Acting Gov. Thompson's veto of the White Primary Repeal Bill has impressed the more political-minded members of the Georgia congressional group as the most sensible course to follow.

To have allowed the repealer to go through would have invited untold confusion in the State, some of the members feel. Instead of one Democratic primary, such as is held under the existing law, a situation might conceivably have arisen where there would have been several—perhaps even more. Tues. 4-1-47

With no State statute to guide the holding of party primaries, here is how the situation might have worked out, as seen by some of the clearer minds of the delegation:

One particular political group or faction supporting the candidacy of some man for Governor or other State office might call a primary for the selection of its slate of candidates. The machinery for holding the primary would naturally be set up by the group sponsoring it.

Obviously a primary conducted in this way, free of any legal restrictions, would open the way for all sorts of fraud. There would be an open invitation for any and all kinds of political skullduggery.

Who got the nomination might easily depend on whose primary it was.

Confusion The invitation for fraud would be so great that a rival candidate would think twice before going into another man's primary. He might see where the cards were stacked against him from the start. And so to make sure that he got an honest count, he might prefer to remain out of his rival's primary and set one up of his own.

In that way there might be a series of primaries, all held with a view of selecting a candidate for the same office. They all might be held on the same or on different days, depending on the whims of the group calling them.

Nor is it likely that the people of the State would be able to get much accurate information from these primaries as to the relative standing of the various competing candidates. Managers would probably vie with each other in running up the score of their candidates.

The result, of course, would be that the names of all of the primary candidates would be certified to go on the ballot for the general election. They would get there by the expedient of having their election managers make representations to the effect that they had polled the necessary number of ballots qualifying them for a place on the general election ticket.

By-Pass Voters What is worse, repeal of primary laws would defeat the real objective of the constitutional amendment, passed more than a hundred years ago, which sought to take the election of the Governor out of the hands of the Legislature and restore it to the people.

That would come about in cases such as the last gubernatorial primary when no one candidate received a majority of the total vote cast. In circumstances of the kind the provision of the Constitution would come into play giving the Legislature the authority to make a selection from the two highest contenders.

Under a system of that kind the chances are that the Legislature would be called upon to elect a Governor more often than the people would be able to in the general election preceding.

The county unit system would not figure in the situation, which means that one candidate would have to get a majority of all the votes cast to prevent the decision from being thrust into the lap of the Legislature. The Constitution

Court Challenge But there is still another reason why some discerning members of the Georgia delegation feel that Gov. Thompson acted wisely in vetoing the White Primary Repeal Bill. Atlanta, Ga.

The measure, of course, was copied after the system devised by South Carolina Democrats as a means of getting around the United States Supreme Court's decision holding unconstitutional those primaries which seek to bar Negroes from participation.

If there were any assurance that the South Carolina system will be permitted to continue in operation, that would be one thing. But the chances are that it will not.

An action is already being initiated to challenge its legality and this is expected to reach the highest tribunal for decision within the next year. Tues. 4-1-47

Considering the picture as a whole, some of the best minds in the Georgia congressional delegation think it is far better for the State to maintain a primary law on the statute books.

RALPH McGILL

The Constitution

Bad Bill, Bad Conscience

Atlanta Ga.

We cannot escape ourselves.
It is, however, human nature to try.
Georgia is trying now.

In the trying only a few noticed that the Government of Great Britain ordered that Burma be given her freedom and that an old man named Winston Churchill stood and protested against "this dismal piece of business." Even fewer would have seen any connection between that British decision and the expected action of the Georgia State Legislature on the so-called white primary.

But there was. Tues. 2-4-47

What makes Georgia's anticipated action possess, also, the elements of a Greek tragedy is that only God Almighty can prevent it. And I make the statement with complete reverence. This also was true of Britain in the days of her empire building in Burma and India. The path to a British Government which would move to grant freedom and independence to the peoples of those countries was a long, hard, tortuous one.

But Britain could not escape history and the British could not escape themselves. They finally had to do the right and just thing.

And Georgia will not be able to avoid it, either.

YOU SENSED THAT IN THE CRY OF REP. JAMES MURPHEY . . . "ALL THAT IS WITHIN ME CRIES OUT AGAINST THIS BILL . . . BUT THE PEOPLE OF MY COUNTY HAVE DEMANDED IT . . . I SEE A DECADE OF FRAUD AND CORRUPTION . . . THE DAY MAY COME WHEN I WILL HANG MY HEAD IN SHAME . . . BUT MY PEOPLE WANT IT. I VOTE AYE."

You sensed it in the furious arguments of those who were for the bill. They spoke with bitterness and great fever as if to silence a very small but nevertheless questioning voice.

Accusation Georgia, one of the 13 Colonies which fought Britain in the name of freedom, now acts to enslave as Britain acts to free. What gives a tone of guilt to the campaign is the knowledge that the real Southern Negro, the real American Negro, is not at all the left-wing Communist Negro of Harlem or any of the great and stewing Negro cities of the East or West, whose arrogance is used to damn a humble, decent people.

What gives them the almost frantic, fanatical hysteria is the knowledge that the Negro in Georgia isn't seeking even to break the legal and mutual agreements of segregation. The Negro knows that he must first find education, justice, jobs and human dignity within the framework of segregation. He does not seek to destroy it. He seeks simple justice.

They know, too, that an approximate 30 percent of Georgia's population is Negro and that of that 30 percent, only a small percentage would be qualified to vote under qualification laws. They know there would not be the remotest possibility of a Negro government. But the cry is of the Harlem Reds and the Henry Wallace crowd—not the people we know.

But this is something wholly separated from the legal decision in the Gubernatorial controversy. What we have here is not a bill seeking merely to set up a white primary. The Negro is merely the camouflage covering a bad bill and a bad conscience.

License What the White Primary Bill, now before the Legislature, does is not merely to disenfranchise the Negro—it disenfranchises every citizen the County Chairman of the Executive Committee does not wish to vote.

The enormous and awful "sleeper" in the bill is that the State laws against fraud are being removed and are not replaced anywhere at all—not even in the party rules. Tues. 2-2-47

In becomes, as someone has said, a license to steal.

This ought to be obvious even to he or she who hates the Negro most. And I do not at all discuss this from the viewpoint of Negro rights or Negro wrongs.

It is a matter of making every white citizen of Georgia the subservient slave of the County Democratic Chairman and Committee.

It establishes fraud with no law or party rule against it.

I say this knowing the White Primary Bill will pass in the passions of the times—when as a matter of fact it is not a White Primary Bill except in a secondary and, more or less, incidental nature.

I am just a person who believes in a fair deal and a fair count.

I am simply against any bill which sets election stealing as a law of the party.

I cannot understand how Herman Talmadge, Tom Linder, Gene Cook, M. E. Thompson, George Hamilton, Zack Cravey and all the others who have spoken for it can honestly support this bill now before the Legislature.

We are not at all discussing this from the viewpoint of Negro rights or Negro wrongs.

Power We are ruled, for the moment, by passions and the desire for power. But no man who has any feeling about it can fail to raise his voice even though they say "nigger lover" and ask if you want to "eat with niggers." They know, full well, that is not the question. That is the voice of a bad conscience.

They know, too, we cannot escape ourselves.

Nor can we escape justice and the mills of the gods which grind slowly, but exceeding fine.

In the years ahead the same men who are about to do this thing will have to help undo it.

Every voter who wishes to stay with the Democratic Party in

A Voice From The Confederacy

Daily World Atlanta, Ga. Jan. 2-11-47

SURELY an ill wind cannot always be without its good. The terrible struggle on the part of certain people and interests to build up an airtight political machine to disfranchise voters to the extent of practically outlawing free elections in Georgia, has brought forth an epochal statement from the lips of Mrs. James L. Longstreet, widow of one of the generals of Robert E. Lee. 37e(2) Ga.,

It will be remembered that the Confederacy cast its lot in the 60's for State Rights et cetra. Four long years of sufferings untold and bold soldiery that will forever make immortal the names of General John B. Gordon and that famous Calvaryman, Joseph Wheeler, through the ages have left an answer from the thin gray lines who survived these long years. It came Thursday in a hearing before the senate judiciary committee in a hearing on the white primary, in which Negroes, even though citzens and tax payers, were denied.

Mrs. Longstreet, the small woman who gave her bit of service and unstinted devotion also in World War I and II, came forth in queenly fashion to plead for the rights of all mankind. Her tribute to Dr. Carver and Booker T. Washing, in her "bit of advice to colored people," will long remain green in the archives of effective immortal phrases.

Surely those who have been calling names and thundering dangerous phillippics like Judge T. Hicks Fort and Tom Linder, who often indulges in faulty and ambiguity in anthropology and philosophy, as twisted in some instances as lacking in good grammar, will pause in their tracks and do some serious thinking before pouring from their hopper of vile cenom and assigning foul motives on the part of those who do not do their type of thinking.

Heaven bless her years as she gracefully marches on toward the brinks of the river. 2-11-47

Senate Rules Out County Unit System

(37e(2) Ga. Daily World Atlanta, Ga.

BY RUTH L. CORNELIUS

The county unit system was stricken from the statute of Georgia Thursday by the Senate when Sections 22 and 23 of House Bill 13, White Primary Bill, were adopted by that body. Section 22 received a vote of 2 2to 20 and Section 23 had a vote of 27 to 17.

Consistently opposing the whole bill, Senator William Parker of Baxley, a veteran of Word War II, previously said he was against the bill in its entirety and specifically against Section 22, said:

"I am against the so-called White Primary Bill. You men do a lot of talking about N----r, I have never seen the word in a dictionary; some of you will have to show it to me. If you mean Negroes you should nave been around for the last four years and had to have their help.

"You say something about sending them back to Africa, if you do be sure yeu have enough money so you won't have to do the work the Negro is doing in Georgia.

"I bet some of you who have been raising cain to get this bil passed have some of the first money you made while Negroes worked for you." Jan. 2-14-47

During his argument, Senator Parker hit the convention tactics of Georgia and said "I've been busy since I was 21 and haven't been able to attend but one convention, since that time I hope I'll be busy from now on so I can't attend one."

DANGER TOLD

Speaking against the repeal of the county unit system, Senator I. H. Woodall of the Twenty-fifth District, said the people who concocted this "most damnable bill to ram down the throats of the people of Georgia screamed 'wolf, 'wolf' about the race question when they were trying to get the people to go along with them."

"I will not vote for it, he said, and predicted that there would come a "resurrection day" at which time many of the sponsors of the bill would have a change of heart.

The opponents of the Sections 22 and 23 said the bill did not have the barring of Negroes from the polls as its primary purpose. Senator J. B. G. Logan called it a misnomer and many referred to it as the so-called White Primary Bill.

Senator E. F. Griffith, representing Putnam, Morgan and Jasper counties addressed himself to the 'country boys" as he defended the county unit system.

"Putting the county unit system in the Party rules will only stand until political expediency rules otherwise, he said. "Forget all about the objections, but leave us the county unit system."

Senator Griffith described the whole Bill as "sucker bait."

He told the Senate he was for a white primary but he was against this particular bill because it takes away the rights of the people of the state and particularly the people of the rural counties.

Senator Robert Graham Daniels of the Forty-ninth District declared himself as favoring a white primary but 'I'm not for it above all else in the world," he said.

Strengthening of the educational requirements as a means of eliminating undesirable voters was proposed by Dr. Griffith and Senator Woodall.

Senator Coker of the Thirty-ninth District after telling a crude joke told those opposing the measure, "Squeal all you want and we will cut your tail off little by little —we are going to pass the white primary bill."

Senator Yates predicted that the state would lose Congressmen because of short lists of registered voters. Jan. 2-14-47

Correspondence from Georgians was read by some Senators. The greater percentage of those asking for a White Primary Bill also asked that the county unit system be retained.

Many Senators opposing the repeal of the county unit system said the people of Georgia did not know what was contained in the bill.

The Senate adjourned Thursday afternoon at 4:30 until Monday morning at 11 o'clock.

A section of 26 seats was reserved for Negroes Thursday and will be for the session on Monday.

Opposition to Primary Bill Amazes Griffith

(37e (2) Ga.

Atlanta, Ga. Journal February 7, 1947

Eatonton Senator Charges Measure Would Circumvent U. S. Constitution

A Senate committeman expressed amazement Friday at the volume of opposition earnest citizens voiced to the House white primary bill at four days of public hearings by a special Senate Judiciary committe

Dr. E. F. Griffith, of Eatonton, the committee member, added that he agreed with the view of "many earnest citizens" that the measure was a device to circumvent the Federal Constitution "by trickery and chicanery."

Deny Right to Vote

"That's what the bill would do," Senator Griffith said. "It is an obvious effort to get around the fourteenth and fifteenth amendments to the Constitution guaranteeing to all the right to vote.

"I was utterly amazed," he added, "at the number of earnest citizens who came before us to censure this measure. It is hard to say whether most of them oppose the bill because it would deny the Negro a primary vote or because of the political angle. It is very clear that many are concerned with its efforts to circumvent the Constitution."

Senator Griffith and Senator Gordon S. Sumner, of Sylvester, make up a subcommittee to study primary plans of other states over the week-end. He said special attention be given to Mississippi laws and that those of South Carolina and Louisiana also would be investigated as a guide to action on the Georgia House approved bill.

Bearing the endorsement of Governor Herman Talmadge and the Democratic State convention of 1946, the bill, which has aroused a furor of comment, pro and con, won easy and decisive support when it passed the House. Both opponents and supporters Friday were agreed that its fate in the Senate was more questionable, due to the much smaller Talmadge majority in the upper branch of the assembly.

Opposition Voiced

At the concluding day's public hearing Thursday, when opponents of the measure were heard, ministers, editors, educators, lawyers and labor leaders voiced their opposition to the bill. So great was the crush of those clamoring to be heard against the measure that speakers in the final hours were limited to only one minute to identify themselves and state the nature of their opposition to the bill. At the start, opponents were granted 10 minutes each. As the time wore on and the number of those opposed to the measure apparently grew, this limit had to be cut by the judiciary committee, to allow each to make an appearance.

At Thursday's hearings, principal public speakers against the bill included Dr. Josiah Crudup, president of Brenau college, Gainesville; Mrs. James H. Longstreet, of Marietta, widow of Confederate General Longstreet, and the Rev. Joseph A. Rabun, pastor of the McRae Baptist church, of which the late Eugene Talmadge was a member.

Dean Critical

Previously, Senate President Pro Tem. William Dean had taken the floor and excoriated the measure as a "no primary bill," but asking that the measure, in some form, be reported back to the Senate by next Monday for decisive action.

Declaring that he was the only person from Telfair county to publicly oppose the white primary bill, and asserting that his appearance might place "in jeopardy" his standing in his community, the Rev. Mr. Rabun declared that "cost what it will, I cannot consent to silence against a threat to the welfare of all.

"I think it is not only the privilege of ministers of the gospel to discuss public affairs in public, but also their duty to do so.

Sees Political Machine

"I also think that ministers ought to condemn undemocratic conduct of public officials, elected or appointed, who should remember that they are servants of the people and not rulers.

"What bigotry it is to say that Negroes do not know enough to vote intelligently. primary bill is a support this white primary bill made in this state political machine Jike had or Tammany Hall or Pender-and can control their state government. Those who are asked to r up the real pur-are being played for suckers. The sponsors, to buildneed of this state is for more petuating political democracy instead of a white pri-Georgia. The white mary bill."

o danger of Negro In her speech against the bill. people face no da

Mrs. Longstreet, who during the late war donned slacks and worked on the assembly line at the Bell Bomber plant near Marietta, said:

Attacks Talmadge

"I want to give a word of hope to the colored people of the United States who have produced a George Wahington Carver and a Booker T. Washington." She then launched an attack on Herman Talmadge, who she said was in the grip of "scheming politicians."

Negroes furnished no conscientious objectors to service in the nation's armed forces, she went on, and "when they were called they came."

She appealed to the committee to kill the measure in the name of past heroes and statesmen of the state and said Talmadge's mother could "earn a place of glory" in history by having her son discard his political advisers.

Dr. Edward G. Mackay, Atlanta minister, repeated a portion of the Pledge of Allegiance to the American Flag—"one nation indivisible, with liberty and justice for all"—and declared, "I dare anyone to take that oath and support this bill."

Other Witnesses

Buford Boone, editor of the Macon Telegraph; W. E. Denham, pastor of Macon's First Baptist Church; Charles C. Matthias, Atlanta, state CIO-PAC chief, and Gus Bernd, Macon member of the Young Democratic Club's executive committee, were among those voicing strong opposition to the bill.

Talmadge Lashes Election Opponents

Gov. Herman Talmadge administered a verbal lashing to opponents of his election by the Legislature in a speech over Radio Station WSB Thursday night as he renewed the platform pledges of his late father, Gov.-Elect Eugene Talmadge.

Describing his opponents as a "group of dissenters . . . antagonistic to democratic methods," he accused them of creating confusion to "divert your attention from objectives which you have thrice declared you want by attacking personalities and by urging decoying side issues . . ."

"According to the press," he continued, "this group has hopes of defeating your program by muddying the water. They are setting up offices in Atlanta and are beginning a well-financed effort to continue to confuse and hinder and delay. Watch them closely. And it would be interesting to know where there money is coming from."

Asserting that the majority of both Houses of the Legislature are "working hard to give you exactly what was promised last summer," Governor Talmadge promised fulfillment of the following objectives:

Placing of schools on a sound financial basis; implementation of federal statutes designed to assist veterans; preservation of the Democratic party with control in the hands of white people who are bona fide residents of Georgia, and the structure of government contemplated in the Constitution and laws.

White Primary Measure Referendum Plan Urged

A State-wide referendum on the Talmadge-sponsored White Primary Bill was asked by the Georgia League of Women Voters in a statement Friday. The Senate Special Judiciary Committee has approved such a plan, but the upper house has not acted on the committee proposal. Sat. 2-15-47

Negroes Call Macon Primary Ban 'Scheme'

37e(2) Daily World Atlanta, Ga. Sat. 1-11-47

MACON, Ga.—(SNS)—In what Negro leaders here termed a "scheme," unsupported by law, reason or justice, Chairman Kenmore Burns, Sr., of the City Democratic Executive Committee, handed down a surprise decision to bar Negroes from the approaching Democratic Primary this summer to name a new Mayor and Council. Chairman Burns explained that the city conducts a white primary instead of the party primary, thus disqualifying Negro voters.

Mr. Burns, who lauded the Macon system as the "best in the country," because in it does not matter whether you are a Democrat, Republican, Socialist or whatnot, the only requirement being that you are registered at City Hall and you are a member of the white race.

The Chairman contends that rules of this Committee were established soon after the War Between the States and have not been changed and for this reason he contends that only white voters will be eligible to vote. The ruling, he explains, does not bar Negroes from voting in the General election next Fall but it does block them from balloting in the primary.

Asked for comment on the reported plan for a city-wide white primary for Macon, Atty. A. T. Walden, president of the Georgia Association of the Citizens' Democratic Clubs, said "at the appropriate time our association will take necessary action to see that the Macon Negroes will not be denied their legal right to vote."

'White Primary' Bill Clears Court Ruling, Harris Says In Georgia

37e(2) The Advertiser Montgomery Ala.

ATLANTA, Jan. 30.—(AP)—Former House Speaker Roy V. Harris, who wrote the "white primary" bill passed by the House and now before the Georgia Senate, says the measure will not run afoul of U. S. Supreme Court decisions upholding the right of Negroes to vote in primaries recognized and regulated by state law. Fri. 1-31-47

The bill, similar to one enacted in South Carolina in 1944 after the U. S. Supreme Court held in a Texas case that Negroes could vote in state-regulated primaries, wipes all reference to primaries off the Georgia statute books.

South Carolina's Democratic white primary last year was held under party rules — not state laws. Harris said:

"All the present state laws applying to primaries will be taken off the statute books."

PASTOR TO QUIT — His criticism of Gov. Herman Talmadge's white primary bill has prompted the Rev. Joseph A. Rabun, former Navy chaplain and present pastor of McRae, Ga., Baptist Church, to offer his resignation. Listed among his parishioners is the assembly-elected state chief executive. Sun. 1-26-47

THE PULSE OF THE PUBLIC

To the Georgia Senate

Constitution

Dear Senators of Georgia: This business of the "White Primary" Bill worries me. It frightens me and it makes me feel ashamed. I am no politician. I do not understand legal maneuvers and procedures. I am a Georgia housewife and a mother. There are things I do understand. I understand people. I understand children. I understand the simple, fundamental lessons of justice and decency that we as mothers try to teach our children. I understand, too, some of the great, simple lessons of American freedom and democracy that our children learn at school.

37e(2) Atl.

This "White Primary" Bill worries me because it seems to conflict with all these great, simple truths that I believe in as a Georgia housewife and mother. It worries me, it frightens me, and it shames me, so much that if I had been able to leave my two babies I would have been down at those committee hearings on last Tuesday and Thursday trying to tell you in person why I want you to do something about this Bill for me and for a lot of other housewives and mothers who share my concern. 2-15-47

This "White Primary" Bill worries me, first because it delivers the legal safeguards of our voting from the protection of the State into the hands of a small group of men. Atlanta, Ga.

I do not understand it, Mr. Senator. I do not believe a State should deny responsibility in one field while exacting it in all others. Do we not have either responsible citizens or irresponsible citizens? It is that way in families. It works that way with my children.

This bill worries me for another reason. What is this privilege of voting? Is it something that one group of people grant or deny to another group of people? That is not what I teach my children of the lessons of American history.

Gentlemen of the Senate, I am worried, frightened, and ashamed. Do not let Georgia again secede, even in spirit, from our great Union. As a Georgia housewife and mother, I urge you to defeat this "White Primary" Bill.

KATHERINE WILLIAMS

Gainesville.

Call the Solons

Constitution Sun. 2-15-47

Editor Constitution: Wasn' Georgia one of the 13 colonie that ratified the Constitution o the United States? And now he political leaders are making law that defy it. If the citizens of Georgia are not subjects of the United States governed by the Constitution, are they entitled to representation in Washington? And why should they expect and receive federal allotments for the State? If the ruling powers in Georgia want her to be an independent state, with laws contrary to the Constitution of the United States, then her senators and representatives should be called home from Washington, for they have nothing to say there.

MRS. CLARA H. MYERS.

Enslave Whites, Too

Editor Constitution: I can say this much for the so-called White Primary Bill. It will stop the Negro from voting and will do the same for the white man. Pass it, and both will be in political bondage. Atlanta, Ga.

The attitude of Mr. Linder is easily understood. It is not his right to vote which is threatened. It is the Negro's right. He attempts, at great length, to prove the Negro unfit to vote—but he does not say the bill would not enslave the white people of Georgia.

Hitler shouted: "We must change the course of history for the next 1,000 years."

In our State the cry is: "We must keep faith with the traditions of our past."

We are supposed to sit supinely by and permit all laws governing the primary to be repealed. This they claim will protect us from the Negro. Who or what will protect us from unscrupulous politicians?

Power still corrupts!

History records what happened to the people of Italy and Germany. History will record what happens to the people of Georgia.

JACK JORDAN

Atlanta.

Larcenists

Editor Constitution: Shades of Munich beer gardens, Napoleon coup d'etats, black shirts in Ethiopia and that illegal punch of a December 7. Can we have forgotten so soon? Such actions are almost understandable in the places and among the peoples which they occurred but the present political situation surpasses all understanding.

G. R. FLOWERS.

Decatur.

Georgia Diary

37e(2) Atl. Constitution

Editor Constitution:

July: Georgia indorses campaign of hate. Gene is in.

August: Four American Negro citizens killed in cold blood in Walton County, against three of whom no charges were, or had been, pending. No indictments.

September: The Columbians, Inc., appear in Atlanta. Hate breeds hate.

December: The nation's greatest holocaust. Over one hundred citizens die in hotel fire in Atlanta.

January: Georgia Legislature perpetuates Talmadge dynasty by sufficiently obvious methods. A plug-ugly named Dykes, member of the General Assembly, threatens the Governor of Georgia in his own State Capitol; with the edifying observation that the Governor

Democracy becomes secondary to Georgia primary. Atlanta, Ga.

Is it any wonder that an exGeorgian is the source of ridicule of the morning paper to see more may come out of his State?

GEORGE A. SMITH.

New York.

February: Georgia House defies the United States Supreme Court

At Least, the People Will Be Forewarned

The Constitution

We do not at all agree with those who are calling Senate opponents to the White Primary Bill obstructionists. 37e(2)

While we have no doubt that the measure has ample support to insure its passage, we do not consider the action of those Senators who have been fighting it to be filibustering in the usual sense of the word. Atlanta Ga. Sat. 2-15-47

Rather do we consider them to be rendering a needed service in focusing public attention on the numerous dangers inherent in the removal of all legal safeguards from party primaries.

Certainly, the fact that the Senate is taking two weeks to consider changing or repealing fifty-one separate code sections does not seem excessive. After all, the legislature has been in session 35 days now and not one statewide measure has been enacted into law. There seems no reason to begin hurrying on this, probably the most important bill to come up this time.

The White Primary Bill is going to pass.

The vote this week on the section repealing the county unit system is indication enough of that.

Nor, in view of the fact that proponents of the measure have the votes and fear the public, is there any hope for provision of a referendum before it becomes effective.

Nevertheless, the State at large owes a vote of thanks to those Senators who are bringing out, day by day, the many invitations to fraud and ring-rule contained in the bill. Sat. 2-15-47

Being warned in advance of the dangers of the measure, the people of Georgia will be more alert to detect and denounce the chicanery and corruption which is certain to follow.

GEORGIA EDITORS SAY: (37e(2))

The Constitution

About the White Primary

Atlanta Ga.

(PICKENS PROGRESS.)

Last Wednesday the Georgia House of Representatives repealed the state's primary laws by a vote of about two to one. It now awaits the action of the Senate.

The politicians got awfully excited last year about the "Nigger." Now if the Senate concurs the Negro is out of the primary, so is also the law. This legislative act slaps Uncle Sam's face and says we do not want to come under the U. S. Constitution and its enforcement laws about civil rights, but we have some good politicians down here in Georgia that can handle the election of our officers better through rules we adopt and handle with committees. We might be wrong but we still believe it is safer for us and the children to stay with the law.

Do you think we are safe in following the political leadership of a group one of whose leaders struts through the State Capitol, jerks off his coat and wants to fight those who dare cross his way. Two years ago, when our boys were struggling to win the war, this same leader was indicted by a Federal Grand Jury and paid a thousand dollar fine for black-marketing? Sat. 2-15-47

Do you like still another political boss in that group, one who is now trying to guide our august Legislature, who, a few years ago when the State voted against the repeal of the prohibition law, was among those who maneuvered through the next Legislature an act that thrust down our throats the thing th. people of Georgia voted they did not want?

Do you remember the dirty political wrangle that disgraced the Blue Ridge Circuit 30-odd years ago, and do you realize that some of the measures repealed by this so-called white primary bill were partly designed to prevent such an affair from occurring again?

(PERRY HOME JOURNAL.)

The Harris-Talmadge people holding the State Capitol started a three-pronged drive last week to tighten their hold on Georgia.

They promoted a "white primary" bill that would give their "club" the right to say who could and could not vote in Democratic "elections." They sponsored a bill that would muzzle the newspapers of the State so they could not criticize public officeholders. They sponsored a bill to charge a "fee" to belong to the Democratic party.

The boy king rode high on his throne.

(HARLEM NEWS.)

Roy Harris was the fair-haired boy of the other side when he was the right-hand man of Ellis Arnall. He was used to put through the Arnall legislative program, and other measures. Harris will be in Georgia's public life when many of those now berating him will have gone from the scene.

(MACON NEWS.)

The pious Mister Linder, who has made a political and personal mouthpiece out of the Farmers Bulletin for many years, published the most remarkable document in The Atlanta Constitution on last Monday that out-Lindered anything he has ever written. . . .

Mr. Linder has read such history as he wanted to read. He applies "history and statistics" of prejudiced race haters and attempts to bolster his arguments by the word of God whose son Jesus Christ was a Jew.

What kind of a mentality is that which deliberately creates enmity and hatred between races, people and religion?

Mr. Linder forgets that in the beginning this nation was founded by men and women of many nations and that his own forefathers were foreigners. We all were descended from peoples of distant lands. No matter from what country, of what race, we should remember first of all that now we are all Americans.

Mr. Linder out-Herman's Talmadge in his latest blast. Like the Dutchman with the limburger cheese on his moustache, everyone stinks but Mister Linder.

Mr. Linder will have his little day. He will strut his little time but in the end he will go "unhonored and unsung."

(CANTON TRIBUNE.)

The White Primary Bill and the pro and con discussion of the Negro's rights by letter writers to the Atlanta daily papers remind us of what a Baptist minister said during a last Summer's revival. He said he had been asked by dozens of persons the question: "Does a Negro have a soul?" From the pulpit he answered this question by saying, "No, the Negro does not have a soul. (Pause) He is a soul!"

(GAINESVILLE NEWS.)

This primary takes away the franchise from white and blacks alike and leaves the matter in the hands of an unstable party, over which only the Governor's hand-picked men have control. From their decision an appeal is useless and the courts can do nothing about it. Sat. 2-15-47

Actually, The News believes the White Primary name is only secondary to the bill. It is called a White Primary bill to cover up its real intent and to get it passed. What it actually does is set up a dictatorial machine in Georgia whch it will take 16 to 20 years or longer to beat, and we do not believe we are overly pessimistic.

(AMERICUS TIMES RECORDER)

Many persons who expressed their desire for a white primary law in Georgia in the election last Summer are opposed to the bill introduced under that title. The measure would repeal all of our present election laws and leave the voter to the mercy of unscrupulous politicians. Most of us believe that the white Democrats of the State should have the right to hold their own primary, but if the present bill is enacted into law, we are certain to have the most corrupt politics in the State's history.

Georgia Legislators In Unlimited Debate On White Voting Bill

The News

Birmingham Ala.

ATLANTA, Jan. 25 — (AP) — The Georgia House of Representatives allowed unlimited debate today as it resumed consideration of the Herman Talmadge-sponsored "white primary" bill with indications the vote would not be reached before late afternoon. Wed 1-29-47

Eighteen representatives announced they wanted to join debate on the measure which by legislative consent will be limited to 15 minutes for each speaker.

Announcement of the debaters came as the session opened when Speaker Fred Hand asked all who wanted to be heard to notify him.

Rep. Charlie Gowen, of Glynn was the first to get the floor.

Talmadge forces yesterday pushed through section after section of the measure designed to void state control of future primaries.

Speaker Fred Hand ruled "out of order" a substitute bill, offered by Rep. John Bell Towill, of Richmond County, which would leave primaries under state control but tighten educational qualifications for voters.

Hand also ruled "out of order" an amendment which would have directed the measure for signature to both claimants of Georgia's disputed governorship—Talmadge and Lt. Gov. M. E. Thompson.

Rep. Charles Gowen, of Glynn, who offered the amendment, explained it would be insurance that the act would remain law if Talmadge eventually was denied the governorship by the courts.

The Talmadge-sponsored legislation, which would make primaries "club" affairs controlled exclusively by the party, was designed to circumvent recent U. S. Supreme Court rulings that Negroes cannot be excluded from Southern primaries where nomination is tantamount to election. Wed 1-29-47

J. Robert Elliott, of Muscogee County (Columbus), Talmadge floor leader, declared: "This measure will certainly eliminate the colored people. That is the purpose of the bill—to have a white primary."

Negro Vote Ban Filibuster Is Denied, But Oratory Keeps Rising

Meets Opposition

Birmingham Ala.

ATLANTA, Feb. 13. — (AP) — Herman Talmadge's plan to bar Negroes from a voice in the choice of Georgia governmental officials hogged down in the State Sen-

of discussion of each of 51 signed to circumvent a United sections and will have States Supreme Court decision onal 30 minutes when permitting Negroes to vote in omes up for final con- Democratic primaries. Democratic after adoption of all primaries are tantamount to elec- ns. Opponents of the tion in Georgia, and the party by lengthening their plans to adopt its own rules and today, held up approv- bar Negroes from voting. section for over three

Wed. 2-12-47

ate today under a flood of ora- tory from a small but determined band of his opponents.

The dozen-strong band denied the bill comes an open charge that it was con- sideration after ducting a filibuster, but the pace its sections. at which the Senate in two previ- measure, by ous days had rushed through ap- discussion toda proval of 21 of the bills, 51 sec- al of one sect tions, slowed. hours. Under the chamber's rules, each senator is permitted 30 pertaining to p

Talmadge Critic

The Rev. Joseph A. Rabun (above), pastor of the Baptist church at McRae, Ga., of which Herman Talmadge, claimant to the Georgia governorship, is a member h s offered to resign after charging that 11 of his deacons "placed the name of Talmadge against God" in opposing his views on pending "white supremacy" legislation in Georgia. The minister recently opposed the bill while testifying before a legislative committee.

Senate Speeds Action On Ban On Negro Vote

Talmadge Aides Push Aside Opposition To White Primary Bill

ATLANTA, Feb. 11.—(AP)—Talmadge leaders swept aside heated but isolated opposition in the State Senate today and began to push through, section by section, the white primary bill under which they plan to close the Democratic party polls to Negroes in Georgia.

The measure already has passed the House by a vote of 133 to 62. It strikes from the State statutes all regulation of primaries. By its adoption, proponents hope to circumvent a United States Supreme Court decision that the primary is a State election and that Negroes must be allowed to participate.

The Democratic primary is tantamount to election in one-party Georgia. With repeal of State regulations, the Democrats plan to operate under their own rules and bar Negroes from party participation. Passage of the bill is advocated by Governor-Claimant Herman Talmadge.

Eight Sections Approved

Eight of the 51 sections of the bill were approved by majorities ranging from 29 to 14 to 23 to 5 in the Senate today despite vigorous opposition led by Senator G. Everett Millican, who represents the populous Atlanta district.

While the Senate debated the white primary bill, Herman Talmadge, who contends he is the State's governor by virtue of his election by the Legislature, failed for the second day to muster the necessary two-thirds majority in the House to pass a constitutional amendment.

The proposed amendment would have extended the county unit system of counting votes to the general election. Under the unit system, now in force in primaries, counties have from two to six votes and the candidate carrying the county gets the unit vote.

Two Rulings Awaited On Georgia Governor

McDONOUGH, GA., Feb. 11.—(AP)—The Fulton National Bank, of Atlanta, asked Henry County Superior Court today to tell it who is governor of Georgia—but Judge Bond Almand announced after a day-long hearing he would reserve judgment until 10 a.m. Saturday.

The bank brought suit against Herman Talmadge, the Legislature's choice for governor, and against his rival, Lieut. Gov. M. E. Thompson, asking judicial direction as to which "governor" may draw on $95,682 left in the executive department bank account upon resignation of Gov. Ellis Arnall. Each claimant entered a "demurrer" asking dismissal of the action and recognition of his claim as governor.

Almand's decision may sustain one or the other demurrers, thus holding that claimant to be, in fact, the legal governor of Georgia. But it will be preceded by another, more direct decision, expected tomorrow at 10 a.m., in the same rural court room.

Negro Poll Ban Voted

In Georgia

House Approves Bill To Free Primaries From State's Control

Senate Action Due

Talmadge Groups Back Legislation To Thwart Northern Interests'

ATLANTA, Jan. 29—(AP)—The House of Representatives passed late today a bill designed to free primaries from state control and permit the Democratic Party in Georgia to keep Negroes away from its ballot boxes.

The legislation would permit the party to become a "club" limiting membership to "white Democrats" in an affort to sidestep a recent U. S. Supreme Court ruling that Negroes cannot be barred from primaries where nomination is equivalent to election.

The House vote was 133 to 62. The measure now goes to the Senate where consideration probably will start next week.

The same legislation, known as the "white primary bill," also would cancel Georgia's county-unit system of nomination, the soldier vote law and limitations on campaign expenditures.

Backed By Talmadge

The bill had the enthusiastic endorsement of Herman Talmadge, elected by the legislature as governor. His lieutenants led the House fight. The measure was drawn by Roy Harris of Augusta, chief aide to Talmadge, who was described in House debate by opponents as a "would-be political dictator."

Lt. Gov. M. E. Thompson, whose claim that Governor-Elect Eugene Talmadges' death made him governor, also has declared himself for a white primary bill but his cohorts fought the Harris measure. Thompson's claim for the governorship awaits a court ruling.

The State Senate, which awaited House action before considering a companion bill, agreed to have a committee study the primary setup in other Southern states which have passed legislation to ban Negroes. The committee was instructed to report by next Monday.

Calls Bill Necessary

Supporters of the Harris bill declared in lengthy debate that the legislation was necessary to prevent Negro dominance at the polls. Opponents argued, on the other hand, that it would split the party and give them the balance of power in the general election.

Rep. Bill Morris of Richmond County said the Harris bill would create a "kingfish in Georgia" with a "slush fund" from party assessment provisions of a companion measure.

In freeing the primary from state statutes, the bill knocks down what Morris described as necessary safeguards against ballot fraud.

Slaps At "Northern Interests"

Rep. Walter Harrison of Jenkins, declared there was no real racial issue in the state and the "white supremacy" banner was waved in the last primary "because Eugene Talmadge did not have an issue to run on."

Rep. Julian Bennett of Barrow County in defense of the measure declared that "I will take my chance at being ruled by a white dictator rather than bloc votes of the Negro."

He added that "Northern interests" wanted the Negro vote because "they hope to gathr under their red bannr the ignorant and the unenlightened so they can vote them in mass like a herd of cattle."

Another supporter, Rep. Henry C. Ellis of Coffee, asserted there was no discrimination against the Negro since "he has the right to form his own party" and "we want a free, white Georgia."

TALMADGE DEFENDS HIS WHITE PRIMARY

Objects to Negroes Voting 'in Blocs,' He Testifies Before Georgia Senators

Special to THE NEW YORK TIMES.

ATLANTA, Ga., Feb. 5—Herman Talmadge told the Georgia Senate's judiciary committee today that he would not oppose Negroes' participation in elections "if they would vote individually but I know they would vote in blocs."

Appearing on the third day of public hearings on the Talmadge-sponsored white primary bill, he asserted that its adoption would be a return "to the system of our fathers and grandfathers."

The measure would repeal primary laws and put primaries under control of the State Democratic party. It implements the "white supremacy" plank in the platform of the late Governor-elect Eugene Talmadge. Young Mr. Talmadge, elected in place of his father by the General Assembly, promised to fulfill his father's pledge.

Supporters of M. E. Thompson, the rival claimant to the Governorship, have advocated a substitute measure to retain primary laws but tighten educational requirements for voters.

In his testimony today Mr. Talmadge branded as "poppycock and propaganda" the claims that "chaotic conditions would prevail in Georgia if the primary laws are repealed."

"The white people of Georgia will not stand for fraud and dishonesty in elections," he continued. "I pledge you that if you will repeal the present primary laws, you will have sixty of the best citizens of Georgia on your State Democratic Executive Committee.

"We will have exactly the same election system in the State that we have now in the counties. I live in a county where the majority of the people are colored. I want to see colored people get jobs and earn money and be educated. If I knew they would vote individually I would be in favor of their voting, but I know they would vote in blocs. More than 90 per cent of the Negroes in Georgia voted for the same candidate for Governor in the last primary."

James S. Peters, chairman of the State Democratic Executive Committee, told the Senate group that "where two races live together one must dominate." He asserted that "nine of every ten wars in the history of the world have started in countries bordering on the Mediterranean Sea where the populations are mixed."

Hearings will be concluded tomorrow when opponents of the bill will be heard.

Meanwhile, th Talmadge forces in the House of Representatives erased a setback they received yesterday, voting 95-98 to reconsider a resolution directing the Secretary of State to affix the great seal of Georgia to documents sent him by Mr. Talmadge as Governor. The measure failed to pass yesterday by a tie vote 90-90.

GEORGIA MOVE AIMED AT WHITE PRIMARY

Special to THE NEW YORK TIMES.

ATLANTA, March 18—If the Georgia Supreme Court upholds him as the State's legal governor, Melvin E. Thompson is expected to act immediately to nullify the Talmadge-sponsored program to bar Negroes from voting in Democratic primaries and to move to retain state laws controlling such elections.

This was indicated today following the introduction of two Senate measures by three Thompson adherenets, designed "to insure parity and honesty in primary elections."

The seven justices departed for their homes late in the afternoon without giving any indication as to

ATLANTA, Jan. 21—(AP)—A white primary bill embodying the campaign by Speaker Fred Hand and other members of the Georgia House yesterday.

It was immediately given a favorable committee report, insuring prompt legislative attention.

It would repeal all primary laws, and put it in the hands of the Democratic Party, which would also place the primaries back in

victor in two of vote.

The bill has the backing of both tests of the two-ship controversy, of Georgia's governors, Eugene's hite primary measson, Herman, and M. E. Thompson.

e Legislature approved. 1-31-47

hompson-sponsored uld establish educaents for voting and primaries back in

Georgia White Primary Bill Offered In House

NEGROES GAINING MISSISSIPPI VOTE

Backers of 'White Supremacy' Find a Legal Bar to Moves for Changing Primary

By JOHN N. POPHAM

Special to THE NEW YORK TIMES.

JACKSON, Miss., Feb. 6 — Although Negroes have just completed an all-time record for payment of poll taxes in this State, it appears unlikely that a special session of the Legislature will be called this year in a stop-gap move to rescind all primary statutes and thus transform political parties into private clubs that could bar Negroes from voting in the summer primaries.

As Negro leaders joined forces in a "creative minority" of liberal whites, supporters of "white supremacy" appeared to have lost some ground when confronted with unexpected legal technicalities.

Negroes in this capital city, a booming metropolic of 100,000 persons, traditionally more progressive than the hinterland, recounted how in recent weeks local white men had visited stores in their section of town to congratulate them on their "fight."

Two Negro war veterans, an educator and two Negro journalists, all active in persuading local Negroes to pay their poll taxes and register, were lavish in their praise of the "cooperation" and "understanding" of liberal whites in this area, although they emphasized that the progressive-minded were only a handful of the total population and that such instances of white support decreased proportionately in the smaller towns and countryside.

Some Whites Offer Help

"This will be a long, tough struggle," a Negro journalist declared, "but the Negro's destiny in the South is hopeful. We have been raised on and buried in this soil for generations. The South has a big future and the Negro is entitled to a share in it. There are white people here who are our friends and they are increasing all the time."

Two Negro veterans, who are college students and still wear parts of their Army uniforms, said that recently on a dozen occasions they had been followed into stores in the Negro section of town by local white men, who discussed at length the problems of the Negro in the South.

"One day I'm on top of the mountain, the next day I'm in the valley," remarked a Negro educator who returned from studies at Chicago University, supported by working as a Pullman porter, to teach in his home State.

"Often I am humiliated on the street and in public buildings and then three wonderful white women, prominent women here, inform me of some new steps they've taken to improve things for my people and I know there is hope for the future."

It was this type of cooperation that resulted in Negroes going in unprecendented numbers to pay their poll taxes and register. Some very optimistic observers estimated that as many as 40,000 Negroes had paid poll taxes by the deadline date last Saturday.

In Hinds County, where this city is located, incomplete records in the Sheriff's and Circuit Clerk's office indicate that of the 16,000 expected registrants about 10 per cent will be Negroes.

Special Session Urged

As a result of wide publication of estimtes of the rising tide of Negro registration, white reactionaries throughout the State were calling for Gov. Fielding Wright to convoke a special session of the Legislature to enact the so-called "South Carolina" plan of rescinding all primary laws and thus geting around the 1944 Supreme Court ruling that State provision for primary elections entitles Negroes to vote in them.

However, a few days ago it was generally concede dthat the possibility of a special session was unlikely after legal experts and close friends, many of them legislators, advised the Governor that Section 247, Article 12, of the State Constitution provided that "the Legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of naming party candidates" an dthat this would indicate the necessity of a constitutional amendment before the primary laws could be repealed.

The extreme right wing of political thought continues to argue that the mounting number of Negroes paying poll taxes in preparation for voting in the primaries would drive home to every white citizen the need for a special legislative session against the alleged "menace" of Negro voting in Democratic primaries.

Pattern of the Conflict

The racial conflict here follows a universal pattern, cutting across all lines. There are Negroes who wish to move slowly, emphasizing the need for beneficial compromises, and others who are eager to force the issue as rapidly as possible.

The white reactionaries are very much in the majority, but their views in many instances are as complicated as the problem itself. Negroes point out that close behind the small group of extreme liberals is a larger group of "well-meaning" whites, who look aghast at Negroes voting in primaries and possibly electing Negro office holders, and yet are active in providing for increased Negro education and wider fields of employment for Negroes on the traditional southern line of equal but separate facilities.

There is by no means a clean-cut division of white against black in this area. Almost all southern whites of education and standing in the community are devoted to increased educational aid to the Negro, as attested by the higher Legislative appropriations for this purpose. A smaller number are active in widening the fields of employment.

Mississippi's Rules Assure White Primary

JACKSON

The Mississippi Democratic Executive Committee has issued five rules to bring about a completely white primary. Voters must demonstrate their:

¶ Opposition to establishment of a Fair Employment Practice Committee.

¶ Opposition to anti-poll tax legislation.

¶ Opposition to any Federal anti-lynch law.

¶ Support of party candidates in general elections.

¶ Repudiation of affiliation with any other party.

The committee restated a 1947 legislative act designed to prevent Negroes from going to the polls in large numbers.

Solely For Negro Voters

The Mississippi Democratic Executive committee has achieved a remarkable job of 'party fixing' in its new rules prescribed for voters in that state. Thus in order to complete the disfranchisement of the Negro voter in the state, the committee sets forth five additional rules, perhaps more stringent than anything to be found anywhere else in a democratic country. So that a potential voter in that state, must in future elections abide by the following requirements:

"1. He must oppose establishment of a fair employment practice commission

"2. He must oppose anti-poll tax legislation

"3. He must oppose any federal anti-lynch law

"4. He must support a requirement that party members vote for party candidates in general elections.

"5. He must repudiate affiliation with any other party as prerequisite to participation in the primaries."

The committee announced these new rules in accordance with the action of the 1947 Legislative Act which was designed to prevent Negroes from going to the polls in large numbers. But, in addition to these rules, it might have added that these requirements plus any others not herein stipulated may be required, provided they will help to make Negro voting impossible.

Nevertheless, as stringent and as offensive as these rules may be, Negroes need not become discouraged or disillusioned by them. For if they are willing to go to the trouble to test the validity of such extra-legal requirements for voting, they will find that the courts will knock each of them out and will insist that any rule which denies to any citizen his constitutional guarantee is null and void.

White Voters Of Mississippi Ballot Tuesday

Democrats Go To Polls For First Time Under Plan To Ban Negroes

JACKSON, MISS., Aug. 3.—(AP)—Mississippi Democrats Tuesday will stage their first primary election under 1947 laws designed to prevent Negroes from participating, and a vote of 325,000 ballots is expected.

The party will nominate candidates ranging from governor to county officials. Nominations by the party is tantamount to election.

A vote totalling between 325,000 and 350,000 has been predicted by veteran observer Walker Wood, secretary of state since 1926. It would compare with 307,490 votes cast in the governor's race in 1939 and 285,6[illegible] cast in 1943.

Such a vote would be difficult to explain, for balloting comes at the close of one of the dullest campaigns candidates for governor have staged in this state in many years.

For Campaign Issues

There have been few issues in the campaign and the addresses of the candidates have contained little of the fire and flash of the campaign speeches of Mississippi's best known politician—Sen. Theodore G. Bilbo.

"The Man" has taken no public part in the campaign, though many persons closely connected to him, including A. B. Friend, Bilbo's 1939 and 1946 campaign manager, have espoused the cause of Gov. Fielding L. Wright.

Mississippi's prohibition law is one of the few issues in the campaign. State Senator Jesse M. Byrd is running on a platform of repeal of the statute and legalization of the sale of liquor. Gov. Wright and Paul B. John, Jr., both advocate retention of prohibition and have pledged themselves, if elected, to veto any liquor legalization measure passed by the legislature.

Mayor Frank L. Jacobs and William Lycurgus Spinks, both of Meridian, have not stressed the liquor issue in their campaigns.

Wright, elected lieutenant governor four years ago, became governor on the death of Gov. Thomas L. Bailey last November.

Johnson, 31-year-old attorney and only World War II veteran in the governor's race, is the son of Gov. Paul B. Johnson who died in office just prior to the Bailey administration.

The laws under which the primary will be held were enacted at a special session of the legislature called last March by Wright. They provide no person may participate in the primary who does not adhere to party principles as declared by the executive committee.

The executive committee has included in party principles opposition to Federal anti-poll tax legislation, opposition to a Federal fair employment practices commission, and opposition to Federal anti-lynch legislation.

The law exempts from challenge persons who have voted in the last three party primaries. Negroes voted in numbers in a Democratic primary in 1946 for the first time in the state's history.

Some 6,000 Negroes expected to Federal anti-lynch laws as a prerequisite to voting. In this first test of a 1947 law poll tax legislation and to the Fair ing the Negroes will be required also to swear accord "with the time-honored and cherished traditions of the South."

The new law decrees that all voters must certify agreement with party principles as set forth by the state Democratic executive committee. Those principles also include opposition to Federal anti-

To Vote Today in Mississippi Primary

Negroes Must Condemn U. S. Safeguards

JACKSON, Miss., Aug. 4 (AP) — asked to swear their dislike of

sion. Tues. 8-5-47

In short, the Negroes would go on record as opposing several Federal instruments designed to help them gain more equality in the South. The Mississippi law demanding that they do this was passed at a special session of the Legislature last March.

In 1946 Negroes had voted throughout the state in sizable numbers for the first time, although Senator Theo G. Bilbo, nationally known proponent of white supremacy, had urged the whites to keep the Negroes from the polls.

Later some of the Negroes testified at a hearing in Jackson that they were physically abused and bullied after expressing a desire to cast ballots.

President T. B. Wilson of the Mississippi Progressive Voters League estimated that about 6,000 of the 12,000 Negroes registered would attempt to vote. These, he said, will swear disfavor of Federal legislation intended to help them.

"The members of our organization have been advised to agree to the party principles because we believe, as the party believes, in states' rights," he declared. "We believe that such things as the FEPC, poll tax and lynching law should be left to the states."

Chairman Herbert Holmes of the state Democratic executive committee said: Tues. 8-5-47

"Color will be no bar to voting. Some whites are going to be challenged. We shall expect the law to be followed and for either whites or Negroes to be challenged if they do not meet all requirements of the law."

A Governor and a full ticket of state and county officers will be nominated.

Southern Weekly Dallas, Texas

THE WHITE PRIMARY will be preserved in Mississippi, if Governor Wright and the Legislature of that State can possibly do it. The Legislature is in special session at this writing wrestling with the problem. In a message to the Legislature, Governor Wright vigorously asserted Mississippi's right to govern itself without outside interference. "There are those in this nation," he said, "who would take from the States their sovereignty and their right to choose their officials as they see fit. They seek to ignore the fact that various States and sections have their own peculiar situations and problems." He served notice that Mississippi "shall ever vigorously defend" its right "to prescribe the qualifications and the steps which shall be prerequisite to voting." "Mississippians," he said, "have always been independent people, proud of their ability to solve their problems as they arise. This we have done in the past, free from outside interference and unhindered by hysterical clamor from irresponsible sources. We intend to preserve and maintain the dignity and integrity of the Democratic Party in this State." Sat. 3-22-47

IT WAS DEMOCRATS on the bench of the United States Supreme Court who reversed their own previous decisions and all of that Court's precedents from the earliest times and decided that a political party is not the final judge of its members. The judges making that decision were appointed by a Democratic President, whom Mississippi supported in four elections, and negro speakers declared during the 1944 campaign that these judges were appointed because this Democratic President wanted negroes to have the privilege of voting in Democratic primaries. The judge who wrote the dissenting opinion was a Pennsylvania Republican. He pointed out that the only difference between the Texas-Lonnie Smith case, which invalidated the white primary, and a previous case in which some of the judges made an opposite decision, was the names of the litigants. And he very properly suggested that such contradictory rulings were making the court's decisions like a limited railroad ticket, "good for this day and train only". But the point is that this judge was a Pennsylvania Republican. The judges who invaded the rights of Mississippi by that decision were members of that "Democratic" Party, whose "dignity and integrity" Governor Wright wants to preserve and maintain. Yet, in the next Presidential election, Governor Wright and most of his fellow Mississippians will vote for the same candidates that Vito Marcantonio supports.

The Southern Weekly Sat. Mar. 15-47

WARNS MISSISSIPPI ON PRIMARY CURBS

The Times

Alfred Stone, Elder Statesman, Says 1890 Restrictions Are Enough for Good Rule

New York, N.Y.
Tues. 3-11-47 37e(2)

By JOHN N. POPHAM
Special to THE NEW YORK TIMES.

JACKSON, Miss., March 10—Four more "white primary" bills were introduced in the State House today. At the same time, leading members of business, the bench and the Legislature were warned by Alfred Stone, Chief Tax Commissioner and 76-year-old elder statesman of Mississippi, against adopting "any new hare-brained ideas."

Speaking at a Rotary Club meeting attended by judges of the Federal and State Supreme Courts, leading ndustrial and business men and key legislators assembled here for the extraordinary legislative session, Commissioned Stone traced the history and purpose of the 1890 State Constitution, which set the pace in the South for methods to restrict Negro voting privileges.

It was this same 1890 Constitution that Gov. Fielding L. Wright referred to when he convoked the special session last week and urged the members to stand firm on the doctrine of State's rights in defining primary voting privileges.

Mr. Stone recounted how the 1890 Constitution had been defended successfully on the floor of the United States Senate and before the United States Supreme Court in regard to the qualifications it set forth for voting privileges. These qualifications included poll tax payments and ability to read and explain sections of the Constitution. Times 3-11-47

History of Restictions

Commissioner Stone, who attended the 1890 Constitutional Convention, told his listeners that during reconstruction days there were two Negro legislators in Mississippi who were "very able" and who were sent there with the support of conservative whites. He said that two Negroes who served as justices of the peace with white support were "two of the best peace officers we ever had."

A period of fraud and corruption followed, Commissioner Stone said, and the restrictions of the 1890 Constitution were adopted not with a view to legislating against the Negro race, which should never be done, but with a view to legislating against racial characteristics of illiteracy, laziness and shiftlessness, which the Negro had acquired from his long period of servitude."

Without referring directly to the white primary laws that have been enacted in South Carolina and Georgia, Commissioner Stone urged his listeners to avoid "any hair-trigger and hare-brained ideas," and to rely upon the 1890 Constitution as sufficient to safeguard "good government."

The four bills brought up in the House today were transferred to the Committee on Registrations and Elections. They all would empower the State executive committee and the county executive committees of the Democratic party to set up rules and regulations defining the eligibility of those participating in Demorcatic primaries.

Bills Held Without Action

Since the special session convened last Tuesday, the House committee has been holding without action two bills, one providing for the South Carolina plan of rescinding all primary election laws and the other striking at the exemption of Negro war veterans from poll tax payments during years in service. The Times

Despite the submission of the white primary bills, a feeling has been growing that no drastic changes will be made in elections laws now and that a policy will be adopted of watching for high court rulings on the white primary laws of Georgia and South Carolina.

A bill was given to the House today that would remove the "black market" tax of 10 per cent on alcoholic drinks in legally "dry" Mississippi and substitute a law making it a "black market" penalty of 20 per cent of the gross proceeds of all such sales. The bill was sent to the Ways and Means Committee. Last week the Senate approved a bill repealing the "black market" tax and House action is pending. New York, N.Y.

Mississippi Governor May Get Only Two Of His Special Laws

Birmingham News
Wed 3-12-47

JACKSON, Miss., March 12—(AP)—Gov. Fielding L. Wright might have to be satisfied with only two of the four measures he asked of the Mississippi Legislature at its current special session. 37e(2)

One of his requests—for repeal of the "black market tax—appeared definitely refused, after failing in the House of Representatives by 17 votes. 3-12-47

Another—amendment of the election laws to assure white primaries—was tangled up in general disagreement among the lawmakers. There was some unofficial talk that the legislators might give up the idea as hopeless of solution at this session.

The only one of the governor's requests already granted by both branches of the Legislature is an appropriation to raise teachers' salaries. The House, without an opposing vote, yesterday passed a bill already adopted by the Senate, to set aside $5,000,000 for the purpose.

The fourth item of the governor's program—a bill to approve Mississippi's participation in the federal school lunch program—has been passed by the House and appears due for quick approval by the Senate. Wed 3-12-47

MISSISSIPPI ACTS FOR 'WHITE REIGN

New York Times
Thurs 3-13-47
Hill Dale, N.J.
37e(2)

House Votes Bills to Bolster the Primary Law Stressing Need for Accord With Party

By JOHN N. POPHAM
Special to THE NEW YORK TIMES.

JACKSON, Miss., March 12—The state Legislature took its first step toward insuring "white supremacy" in Mississippi primary elections when the House approved measures late this afternoon and forwarded them directly to the Senate.

The bills provide for a strengthening of existing primary laws by stressing the requirement that applicants desiring to vote in party primaries can be eligible by being "in accord with the statement of the principles of the party holding such primary."

They also call for the creation of a special legislative committee to make "an intense study" of the entire primary voting problem and report recommendations to the January, 1948, session of the Legislature with a view to obtaining "permanent relief."

Session Is Calm

Although "white supremacy" at the polls has been a bitterly discussed subject in this state in the past year, the restrictive legislation was approved in an atmosphere of calmness and followed suggestions that were in sharp contrast to the demands for extreme "white primary" legislation that were made several months ago ago when Negroes set an all-time record for poll-tax payments and registration in Mississippi.

During the two hours' discussion on the floor of the House at no time was the word "white supremacy" used or were the words "Negro" or "colored" employed. Legislators scrupulously made sure that nothing was said for the record that would leave any subsequent laws open to court criticism as "inspired" by racial discrimination. Times 3-13-47

The move for "white primary" legislation came with dramatic suddeness. Called into special session on March 4 by Gov. Fielding L. Wright for the express purpose of amending or revising the existing primary laws, the Legislature had completed all other major items before it and had made a practical agreement to end the session on Saturday when the primary bills were brought up under a suspension of rules.

When the extraordinary session first convened the House was given a bill proposing the drastic "South Carolina Plan" under which all primary election laws would be wiped off the books and the Democratic party converted into a private club that could "legally" bar Negroes from participating.

Several meetings were held between the Governor, the Elections Committee of both branches of the Legislature and the State Executive Committee of the Democratic party. Each time it was reported that no progress had been made.

There was a growing sentiment that led influential groups to urge that the Legislature proceed cautiously and adopt a policy at this time of "watchful waiting" to see the results of high court adjudication on "white primary" laws enacted in Georgia and South Carolina. Thurs 3-13-47

Delaying Move Made

The first measure introduced in the House today was admittedly a delaying move in support of the advocates of "caution." It called for the appointment of a committee composed of three members of the House, two members of the Senate and with the Speaker of the House and the Eresident pro tem. of the Senate to act as ex-officio members for the purpose of studying the "primary problem" and advising the regular session of the Legislature in January, 1948, an steps to "obtain permanent relief." It was adopted by a vote of 127 to 5, with no debate by the objectors.

The second measure proposed additions to the present law governing eligibility on participation in primaries. The new clauses would hold that eligibility to partcipate in primary voting depended on the applicant supporting the statement of the principles of the party's State Executive Committee and that these principles should be declared by the committee not less than thirty days prior to the holding of the primary. 3-13-47

MISSISSIPPI FIGHT ON VOTE FLOUNDERS

New York Times
Fri 3-14-47
Manchester, N.H.

Senate Openly Invokes Spectre of Party Dictatorship—Moves 'to Protect White Electorate'

37e(2)

By JOHN N. POPHAM
Special to THE NEW YORK TIMES.

JACKSON, Miss., March 13—Efforts to insure "white control" of primary elections floundered in the Mississippi Legislature today when the Senate openly invoked the spectre of party dictatorship and moved to "protect" the white electorate from restrictive measures aimed at Negroes. Thurs 3-14-47

By its action the Senate highlighted one of the most important political paradoxes to develop in the South in recent years. Members of the Senate declared from the floor that they were "tearing away the cloak of hypocrisy" in regard to the race question and admitted that they "were politically between 'Scylla and Charybdis' in their attempts to solve the problem of Negro demands for increased suffrage privileges.

Bills Go Back to House

In the face of warnings that the bills before them would pave the way for two party elections in Mississippi and would eventually lead to control of public offices by Negroes in the Delta communities where Negroes frequently outnumber whites, the Senate approved the measures but added amendments designed to "tone down" the restrictive provisions.

The bills will be sent back to the House, which approved them yesterday, for concurrence or conference. With the Legislature set to end its extraordinary session tomorrow afternoon, opponents of the bills were expressing hopes that a bitter floor debate on the amendment in the House might lead to a deadlock on "white primary" legislation.

One of the House-approved bills before the Senate today would authorize the State Executive Committee of a party holding a primary to authorize the county committees to have a new registration of the members of the party "if it thinks it is necessary for the welfare of the party."

It also authorizes the appointment of assistant managers to challenge voters and question their eligibility, with the County Executive Committee having final decision. New York Times 3-15-47

30-Day Limit Is Set

The other House-approved measure would require the participant in a party primary to be "in accord with the statement of the principles of the party holding such a primary" with the principles of the party being declared by the executive committee not less than thirty days before the primary. File

It also provides that the participant must answer "in writing if demanded by the challenger questions relating to his qualifications an dhis accord with the principles of the party."

When the measures were introduced it was generally understood that they were aimed at keeping Negroes out of primary elections by setting forth party principles the Negro would not be willing to subscribe to and also to allow new registrations in counties where Negroes recently increased their registrations in order to fear but fear. There's an attempt at what we are doing here today will be back on us. We have nothing to hide. Senator Byrd said. "Someday the principles appease somebody. They say bill will do no harm. Ask if it is no harm what good does it do?"

Senators L. A. Whittington of Natchez, and Jesse M. Byrd of Leakesville, led the attack on the bills before the Senate today. Senator Whittington declared that the bills would "pave the way to beyond the county committees. "When you don't know what to do, the best thing is to do nothing." Senator Whittington said. "We're opening the door to a party dictatorship. Who's going to invite the formation of other parties in this State," Senator Whittington said. "We're opening the door to a party dictatorship. Who's going to invite the formation of other parties in this State," Senator Byrd said. "Someday somebody will way for someone to challenge our qualifications. What we are doing here today will way for someone to challenge our qualifications. Who's going to come back on us. We have nothing to fear but fear. There is too much agreement on what are the principles of the party? If there is high political feeling in a county and one faction is in control of the county committee, what's to stop them from challenging the other faction? And there's no appeal from that county committee's decision."

Court Appeal Considered

MISSISSIPPI VOTES CURBS ON NEGROES

Compromise Amendments Cut Efficacy of Two Bills to Keep Primary White

By JOHN N. POPHAM

Special to THE NEW YORK TIMES.

JACKSON, Miss., March 14—The Mississippi Legislature approved two "white primary" bills today under compromise agreements that left wide doubt as to the actual efficacy the restrictive measures would have when applied at the polls.

Because of strong Senate opposition on the ground that the bills opened the way for party "dictatorship," both measures were subjected to Senate amendments that eventually were traded off between the House and Senate.

In view of the demand for laws to assure "white control" of primary elections that followed the recent record increase in Negro poll tax payments and registrations in this state, opinion here was that middle-of-the-road forces had won a limited victory.

Called into special session on March 4 by Gov. Fielding L. Wright, the Legislature took up bills proposing extreme "white supremacy" laws, including the so-called "South Carolina plan," under which all primary laws would be rescinded and the Democratic party thus converted into a private club that could "legally" bar Negroes.

Caution is Urged

Meanwhile, opposition developed in which influential groups urged the Legislature to be cautious and wait for Supreme Court decisions on extreme laws adopted in Georgia and South Carolina.

Eventually the House approved two bills. One provided that persons could be eligible to participate in party primaries only by being "in accord" with party principles laid down by the party's state executive committee. It was understood that party principles would be declared to which Negroes would be reluctant to subscribe.

The second measure authorized county executive committees to hold new registrations "in the welfare of the party," and permitted challenging of applicants on their "accord" with party principles, with the county committee's decision final. It was felt that this would enable some counties to rule out Negroes who registered recently.

On the Senate floor it was charged that the power to challenge without appeal to the courts would give factions within the party opportunity to "control" the primary by using such power against rival factions. The Senate added an amendment giving the right of Court appeal.

Problem in Definition

The Senate also expressed fear of the power to decide just what were the party's principles and amended the measure by declaring that no person should be challenged who had not been challenged in three successive primary elections and that a candidate for office could support any platform he chose.

The House declined today to accept the Senate amendment allowing appeals to courts. After a conference the Senate agreed to withdraw the amendment and the bill was approved. Senators opposing the bill said the withdrawal would make no difference because the right of appeal to a court was a "vested" right that would have to be allowed regardless of the bill's wording.

The House accepted the Senate's amendment to the bill requiring "accord" with party principles.

Both branches approved a bill creating a committee to study the "primary problem" and report recommendations to the regular legislative session that convenes next January.

Governor Wright is expected to sign the three bills tonight or tomorrow, when the Legislature ends its extraordinary session.

THE DEEP SOUTH

Mississippi Weighs Revision of White Primary Laws

By GEORGE W. HEALY Jr.

Special to THE NEW YORK TIMES.

NEW ORLEANS, March 29—Mississippi has two brand-new laws designed to protect the State's "white primary system," but the legislators who passed the laws are neither sure nor happy about them.

Before the State has had a chance to try the new statutes, Speaker Walter Sillers of the House of Representatives and President Pro Tempore of the Senate Oscar O. Wolfe Jr. have appointed committees to study Mississippi's primary election laws with a view of rewriting them and introducing new measures at the regular session of the Legislature in 1948.

The two new primary laws were adopted at a special session of the Legislature recently concluded at Jackson.

One permits the challenging of any elector who has not participated in three primaries of his party to prove that he is "in accord with the statement of principles of the party," declared by the party not less than sixty days before the primary. What the statement of principles might include, of course, nobody knows.

The second law authorizes county executive committees of the respective parties to make new registrations of members of such parties and to render final decisions in cases of complaints by persons whose rights to vote in party primaries are challenged.

The new laws will get their first test on Aug. 6, when Mississippi Democrats are scheduled to select their nominees for Governor and for other State and county officers.

Requirement that electors prove their allegiance to party principles before qualifying to vote in primaries was suggested by experience at Mound Bayou, all-Negro community in northwest Mississippi, in the primary in which Senator Bilbo was nominated.

As Negroes approached a polling booth in Mound Bayou they were asked by a white watcher from a neighboring community in the same county, "If Bilbo is the party nominee, will you vote for him in the general election?"

Negroes who replied in the negative were told, "Well, you don't qualify as a Democrat. One of the principles of the party to which you must subscribe is that you will support the party nominee in the general election."

News Note: Just as Louisiana relaxes its policy of discouraging export of natural gas for competition with coal as boiler fuel in coal-producing areas, Texas business men are opening a campaign to tighten that State's policy concerning piping of its natural gas.

MISSISSIPPI BILL BARS NEGROES' VOTE

Governor Wright Tells State to Stand Firm on Rights to Gain White Primary

By JOHN N. POPHAM

Special to THE NEW YORK TIMES.

JACKSON, Miss., March 4—A bill proposing a "white primary" and a strong Gubernatorial plan for Mississippi to stand firm on state rights in defending primary voting privileges were given to the state Legislature today when it convened in extraordinary session.

As he tossed the primary onto the laps of the legislators, Gov. Fielding P. Wright denounced the "misguided and misinformed" voices of outsiders, warned of "a spirit of hostility in the air * * * to which we cannot submit," and asserted that the United States Supreme Court had attacked "the fundamental concept of our election system."

Before the Governor had delivered his opening address, two bills were dropped into the House hopper. One recommended rescinding all primary laws, which would be adoption of the so-called "South Carolina plan."

Resolution Supports Bilbo

The other measure would have the effect of depriving Negro war veterans of the statutory exemption from poll-tax payments during the war years. It has been estimated from from 30,000 to 40,000 Negroes paid poll taxes.

A large number of Negro registrants were war veterans and in this capital city a campaign featuring store window placards urging Negroes to pay poll taxes and register was conducted by leaders of the American War Veterans Committee, which is an all-Negro unit here.

Both branches of the Legislature received a resolution calling upon the United States Senate to seat Senator Theodore G. Bilbo on the ground that Mississippi was being deprived of its constitutional representation.

The resolutions charged the Senate with "neglecting" to recognize Mississippi's right to have representation "of its own choice."

Bilbo's Book in Stores

The action in Senator Bilbo's case came on the day that book stores here put on sale the Senator's new book "Segregation or Mongrelization."

A leading advocate of "white supremacy," Senator Bilbo writes in his book that destruction of the country by an atomic bomb would be preferred to mixing of the black and white races.

Governor Wright delivered his opening address before the joint session with about a hundred spectators in the gallery, many of them school children.

He was elected as Lieut. Governor and assumed his office last June upon the death of Gov. Thomas L. Bailey. Governor Wright recently announced his candidacy for the gubernatorial nomination this summer. His advice to the Legislature today followed the pattern of the historical political schism between north and south that started with John C. Calhoun's famous South Carolina exposition in 1826, putting forth the doctrine of nullification whereby any state can suspend a Federal law it believes injurious to its interests.

The Governor opened that part of his adress dealing with primary laws by referring to Mississippi's Constitution that set the pace for the South in methods to be used in restricting the voting privileges of Negroes.

"Theer are those in this nation who would take from the states their soveerignty and their right to choose their officials as they see fit, Governor Wright said. "They seek to ignore the fact that various states and sections have their own peculiar situations and problems."

State's Rights Defended

Asserting that there are those in these United States who seek to say that a State has no right to prescribe the qualifications and the steps which shall be prerequiste to voting," Governor Wright served notice that Mississippi "shall never vigorously defend our rights" to choose public officials in the manner prescribed by the people of the States." He added that "this nation of ours was not founded on the theory of a strong central government."

"Mississipians have always been independent people, proud of their ability to solve their problems as they arise," the Governor said. "This we have done in the past, free from outside interference and unhindered by hysterical clamor from irresponsible sources. We intend to preserve and maintain the dignity and integrity of the Democratic party in this State."

The Governor took note of a "divergency of opinion on the primary voting question and said that briefs containing results of

Mississippi Democrats Insure White Supremacy

JACKSON, Miss., May 15 (AP)—Five rules have been issued by the Mississippi Democratic executive committee to bring about complete white supremacy at the polls.

A potential voter must adhere to the following prescriptions if he any other party as prerequisite to plans to participate in the party's participation in the primaries.

1. Opposition to anti-poll tax legislation.
2. Opposition to any federal anti-
3. Opposition to any federal anti-lynch law.
4. A requirement that party members support party candidates in general elections.
5. Repudiation of affiliation with

WHITE-PRIMARY PLANS HAVE SPLIT THE SOUTH

Liberal Groups See Threat of Control By Small Political Cliques

By JOHN N. POPHAM

Special to THE NEW YORK TIMES.

JACKSON, Miss., March 15—For the first time since the Civil War the politically famous "Solid South" of the Democratic party is faced with an internal split over the question of "white primary" laws.

Adoption of "white primary" laws is nothing new in Southern history, but the awakening of the modern world to the perils of fascism through political "clique control" has put a new twist on an old problem in Dixie.

Legislative moves to insure "white supremacy" at the polls in the South started for the record when Mississippi, on the heels of reconstruction abuses, wrote its famous Constitution in 1890 and defended it successfully before the Federal Supreme Court.

A "white primary" law is any statute setting up almost insurmountable barriers against Negroes qualifying for the privilege of voting in the party primaries from which candidates are chosen to run for office.

In the Democratic party domination of the South, nomination as that party's candidate is the actual election.

Mississippi Sets Pace

The Mississippi Constitution set the pace for the South by imposing voting restrictions on the vulnerability the Negro inherited from his years of slavery—lack of education and material possessions.

Throughout the South, statutes then were adopted requiring registrants for primary voting to pay poll taxes and to be able to read and write and explain sections of the United States Constitution.

This sufficed until World War II impinged its social and economic changes upon the South. Overnight, Negroes became important factors in the vast war machinery. They were drawn into a citizen's Army which indoctrinated them with consciousness of political rights. More thousands were siphoned into high-paying war industries which gave them a taste of material abundance.

In April, 1944, while the world awaited the impending invasion of Europe, the United States Supreme Court, in a test case from Texas, ruled that in any State where statutes provided for primary election machinery a Negro could not be barred from participating.

The decision was interpreted as broad enough to require that Negroes must be permitted to vote in the primary on the ground that in one-party States the nomination was the actual election and therefore the only constitutional opportunity the Negro had to select representation.

Reaction Is Quick

Reaction to the court ruling was instantaneous in the Deep South, principally in South Carolina, Georgia, Alabama and Mississippi, where for years the population ascendancy has fluctuated between Negroes and whites and the possibility of electing Negro officeholders or of Negroes wielding a balance of power at the polls is considered a real threat.

The first, and most drastic, action was taken in South Carolina with enactment of a "white primary" law. This statute, known as the "South Carolina plan," rescinded all primary laws, thereby removing the primary election from provisions of the State laws. It was held that this converted the party into a private organization that could "legally" bar Negroes from participation and thus circumvent the 1944 Supreme Court decision.

Since then Georgia has adopted the same procedure. Alabama approved a constitutional amendment requiring primary registrants to "explain" any selected clause in the Federal Constitution, and there is talk of a bill proposing the "South Carolina Plan" being introduced at the regular Legislative session in May.

This week the Mississippi Legislature, meeting in extraordinary session, decided to pass up the "South Carolina Plan" at this time, but approved two bills, one of which embodied the requirement that a primary participant would have to show that he was "in accord" with party principles.

Opposing Voices

There is no doubt that generally the Deep South is in support of "white primary" laws that will restrict the Negro from primary voting. However, a strong-voiced opposition, composed of "liberals" of varying degrees of ardency, has asserted itself in the region that prides itself on having abjured isolationism and early recognized the need to join the fight against world-wide fascism.

The "liberal" group argues that the "Negro threat" is not the real danger in the search for new "white primary" laws. It is the possibility, they assert, that with no laws to restrain it, a political group could capture control of elections through the party and perpetuate itself in office as a virtual dictatorship by invoking the strict qualification measures originally aimed at Negroes.

Many of the "liberals" say that the move afoot for "white primary" laws is a cover for demagogues seeking to capture party control.

"AS GEORGIA SEES IT"

Poinier in The Detroit Free Press

The White Primary Battle

Pittsburgh, Pa. Courier Sat. 3-15-47

The battle for and against the white Democratic primary continues to rage throughout the lower South.

Georgia's legislature has passed a law of dubious legality, considering the gubernatorial tangle, which does away with the primary in order to avoid the rising Negro vote, and makes way for private Democratic clubs from which Negroes can be excluded.

The Mississippi legislature is seriously considering similar legislation with the same end in view although differing somewhat from the Georgia devices.

Meanwhile a battle over the white primary is developing in Alabama, but the liberals under Governor Folsom feel confident that they can block Negro restrictions at primaries.

Most important development at present, however, is the action brought last week in the U. S. District Court for the Western District of South Carolina by the legal staff of the National Association for the Advancement of Colored People to combat the white primary there.

This action is important because the other Southern States eager to restrict Negro suffrage have been copying their legislation after that adopted in the Palmetto State and have been successful so far in keeping Negro voters out of the Democratic primaries. Sat. 3-15-47

If this legal effort to combat the "South Carolina Plan" is successful, the rest of the Southern States contemplating restrictive legislattion of this type will be in a worse dilemma than ever.

Upon its success or failure rests the whole political future of most of the colored people in the United States.

The Last of the White Primary

Pittsburgh Courier
2/20
Pittsburgh Pa. - Sat. 7-26-47

The Southern white primary, a diabolical mechanism by which colored Americans have been successfully disenfranchised despite State and Federal constitutions and the wishes of the majority of the American people, has suffered many damaging legal blows since the National Association for the Advancement of Colored People started attacking it in the courts over twenty years ago.

It might be said that with colored citizens now voting in such former rebel states as Texas and Georgia, the Southern white primary has been languishing on its death bed for the past two or three years with nervous political doctors of the old school taking its pulse, giving it blood transfusions of bigotry and adjusting oxygen tents of legal subterfuge in a losing effort to keep it alive.

But last week saw the white primary gasp its last breath appropriately enough in South Carolina, the first State to secede from the Union.

The death blow was delivered by Federal Judge J. Waties Waring of Charleston, S. C., who in a remarkable decision which tore away all of the superficialities and artificialities with which this anachronism has been kept alive, drove home the fatal dagger with great legal finesse and unassailable logic, to say nothing of fine human sentiment.

Sat. 7-26-47

The plaintiff was one George Elmore, a resident of Richmand County who, with other colored citizens, was barred from voting in the 1946 primary held on August 13, although admittedly qualified; and the sole reason given being his color.

The defense was that by legislative action in 1944 the South Carolina legislature acted to completely renounce for the State the control of political parties and primaries, and that thereafter the latter became private matters (clubs) subject only to the whims of their members.

The judge ruled out this sophistry, alluding to the contention of the defense that the Democratic party of South Carolina had not changed a single bit in either its structure or intentions, clearly revealing the subterfuge of the racist politicians, and finally ruling that:

"The plaintiff and others similarly situated are entitled to be enrolled and to vote in the primaries conducted by the Democratic party of South Carolina, and the defendants and their successors in office will be enjoined from excluding qualified voters from enrollment and casting ballots by reason of their not being persons of the white race. Appropriate findings of fact and conclusions of law and an order carrying the foregoing into effect will be entered."

Thus does a Southern Federal judge in a Southern State carve an appropriate epitaph on the tomb of the white primary, and all America except a tiny wrong-headed minority applauds his words.

Beyond this we think our readers will be interested in the philosophy of the New South as embodied in some of the closing paragraphs of this historic decision.

"For too many years the people of this country, and perhaps particularly of this State, have evaded realistic issues. In these days when this nation and the nations of the world are forced to face facts in a realistic manner, and when this country is taking the lead in maintaining the democratic process and attempting to show to the world that the American Government and the American way of life is the fairest and best that has yet been suggested, it is time for us to take stock of our internal affairs. . . . It is time for South Carolina to rejoin the Union. It is time to fall in step with the other States and to adopt the American way of conducting elections. . . . Racial distinctions cannot exist in the machinery that selects the officers and lawmakers of the United States; and all citizens of this State and country are entitled to cast a free and untrammeled ballot in our elections, and if the only material and realistic elections are clothed with the name 'primary', they are equally entitled to vote there."

Sat. 7-26-47

Thus speaks not only the law but the mind and heart.

It is certainly appropriate at this time to call attention to the credit that is due the Legal Department of the National Association for the Advancement of Colored People which has been fighting the Southern white primary for a generation and which won its first victory in the U. S. Supreme Court on March 7, 1927, just a little over twenty years ago.

Backed by an increasingly numerous, militant and determined membership and far-sighted directors and executives, the N.A.A.C.P. lawyers have hewed to the line throughout the years, establishing favorable precedents, many of which Judge Waring cited in his decision.

It has been a costly and long-drawn-out procedure, and at times very discouraging, but persistent, intelligent and informed effort not only resulted in changes in the law but, what is more important, changes in the public mind.

When we consider the bitter communal strife in India, the intense national rivalries of Europe and the bloodshed, inhumanity and injustice flowing from these animosities, the greatness of the American system is underscored by contrast; for here more than any place in the world revolutionary changes are effected with a minimum of cruelty, disruption and strife, and overwhelmingly accepted by the majority of the people.

America is still a long way from being the perfect State, for there are still many violations and evasions of the spirit and the law on which this nation was founded, but we think these will be moved in time, as was the Southern white primary, for underneath all of our difficulties, inequities and discriminations are the desire for and the belief in ultimate social-political perfection.

Claim Courts Can't Upset White Primary

Chicago Defender
Chicago, Ill.
Sat.
2/20

COLUMBIA, S. C. — (ANP) — The contention that the Democratic party of South Carolina is a private voluntary association and not subject to any statute or law, was contained in a formal answer, filed by party officials here last week, to a suit which seeks to compel the political group to give Negroes the voting franchise in the present white primary.

The brief held that "no substantial federal question is involved," and federal courts lack jurisdiction to entertain the action.

It was an answer to a suit filed recently by George Elmore, of Columbia, through the NAACP, in which Elmore charged that he was not permitted to vote though he was a "duly and legally qualified elector," at the 1946 Democratic primary polls. It asks $5,000 damages and a federal injunction which would prevent party officials from denying "qualified Negro voters the right to vote solely because of color."

Sat. 7-26-47

The defendants took the position that "the alleged federal questions are merely pretensive, because the Democratic party of South Carolina is a private voluntary association of individuals, mutually acceptable to each other, and is not created or regulated by virtue of any statute or law but solely by the rules of said voluntary association."

are voting in the Louisiana primaries. Since Smith vs. Allwright, Negroes are voting in Texas, and even in Georgia since Chapman vs. King, Negroes vote in the Democratic primaries. I cannot see where the skies will fall if South Carolina is put in the same class with these and other states." Judge Waring wrote. And further declares, "It is time for South Carolina to rejoin the union. It is time to fall in step with the other states and to adopt the American way of conducting elections."

Sat. 7-26-47

May Be A Knockout Blow

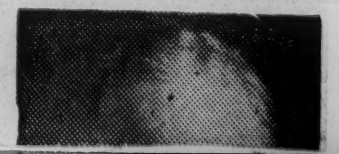
THUS JUDGE WARING puts an end, many

Walter White

Chicago Defender. Chicago, Ill.
37e(2)

Judge Waring's Decision

I HAVE NO MEANS of knowing if Federal Judge J. Waties Waring of Charleston, S. C., was thinking of the recent shocking acquittal of 31 self-confessed lynchers at nearby Greenville when he wrote his magnificent decision in the George Elmore "white primary" case. But whether Judge Waring was thinking of Greenville or not the opinion he has just delivered wipes out at least a part of the



People, Politics And Places

stain on the name of South Carolina. For Judge Waring has risen above racial or sectionalism and struck one of the hardest blows yet hit against the evils of hypocrisy and chicanery the Southern white Democrats have used to keep their elections "lily white" though far from lily pure.

"Since the Classic case (in Louisiana) Negroes

Worth Time, Money And Effort 7-26-47

IT HAS TAKEN more than 30 years to win this struggle. But the fight has been worth all the time, money and effort put into it.

It has demonstrated to Negroes that they can overcome even the most rugged obstacles if intelligence, unity and dogged determination are applied. Every Negro in the United States and every decent white American who believes in democracy ow s a debt of gratitude to the plaintiff, George Elmore, to J. M. Hinton, president of the South Carolina State Conference of Branches of the NAACP, to Harold R. Boulware, Thurgood Marshall and Robert L. Carter who fought the case through the courts.

And a special mete of thanks should go to Judge Waring, a native-born South Carolinian who rose above narrow sectionalism in the finest tradition of American jurisprudence.

S. C. Primary Rights Argued In U. S. Court

Constitution

BALTIMORE, Nov. 18—(AP)—. South Carolina's Democratic Party was pictured in Federal Court Tuesday as a "country club" with power to exclude Communists, Republicans and bowlegged men, as well as Negroes.

This claim was made by attorneys for 60 Party members who have appealed a lower court ruling that Negroes are entitled to vote in South Carolina primaries.

"How do you manage to discriminate against the white people?" asked Judge Morris A. Soper of the U. S. District Court of Appeals. Atlanta, Ga.

"We wouldn't take any Republicans or Communists or any people like that," replied Attorney Irvine F. Belser. Wed. 11-9-47

"We ought to withdraw from the United Nations and close up shop" if the country-club claim is upheld, argued Thurgood Marshall, counsel for the National Association for the Advancement of Colored People.

Marshall said the only way Negroes could form a separate party in South Carolina would be to print their own ballots.

Atty. Belser pointed out there is now no South Carolina law which requires the party to conduct a primary.

"Does it make any difference if there isn't a statute?" asked Judge Parker.

"Yes, there is a difference," said Belser. Wed. 11-9-47

"Couldn't negative action be sometimes interpreted as action on the part of the State?" the Judge asked.

Belser made no direct reply to the question.

"CLUB" PRIMARY APPEALED 37e(2)

Party Plan Bars All Negro Voters

Chicago Defender Sat. 11-29-47

Chicago, Illinois

BALTIMORE — The Democratic party of the state of South Carolina is a private organization. It has no connection whatever with the state, and federal courts lack jurisdiction over the right of the party to restrict its membership.

These were the arguments presented by attorneys for the party before the appeals court of the fourth district here last week. The state political group is appealing a decision handed down by Federal District Judge J. Waites Waring that Negroes are entitled to vote in the primaries. Sat.

The other principal in the case, George Elmore, had sued in district court for the right to vote in the party's primaries. Through Atty. Thurgood Marshall, chief of the NAACP legal staff, New York, Elmore had contended that the Democratic party effectively controls the choice of public officers and that the state, by rescinding its primary laws, had actually delegated to the party the right to operate this function. 11-29-47

The party held that "the federal courts are without jurisdiction in this suit because no state action was involved and the defendants were not acting under state statute or as state officials, but solely in their capacity as members of the Democratic party.

"The Democratic party is a voluntary political association with unrestricted choice of membership."

The brief filed by the party's attorneys contended that "such associations of peoples thinking alike have the right to operate under the federal constitution's provision for freedom of assembly," and that it is a group, not the state, operating. Defender

It is also pointed out that Judge Waring's ruling was based on the Classic and Smith-Allwright decisions, which dealt with statutory control of primaries, but that in the South Carolina case, there is "no statutory connection," since the party is now a voluntary political association.

NEGRO VOTING ARGUED IN U. S. APPEALS COURT

BALTIMORE, Nov. 18 (U.P.)—A three-judge Federal Court of Appeals today began debating whether Negroes had a constitutional right to vote in the South Carolina Democratic primary. Time

The case, testing a new South Carolina law which makes the Democratic party a "private club," was appealed to the United States Circuit Court here after Federal Judge J. Waties Waring of Charleston, S. C., ruled last July that Negroes must be allowed to vote in primaries. New York N.Y.

Christe Benet, attorney for the South Carolina Democrats, told the court the State Legislature had repealed all its statutes regarding primaries and left the printing of primary ballots to the party, which he called "a private organization."

"The Democratic party has as much right to give a ballot to whomever it pleases as does a woman's sewing circle during its elections," he said. WPd 11-19-47

Attorneys representing George Elmore, Negro storekeeper who brought the suit, told the court that the Democratic primary is the only "real election" in South Carolina and that the State law illegally deprives Negroes of their constitutional right to vote for office-holders. WPd. 11-19-47

Thurgood P. Marshall, attorney for the National Association for the Advancement of Colored People, said Elmore was told when he went to the polls that "if he wanted to vote he could form his own party and elect his own candidate."

Same Thing Under Different Name

Afro-American Baltimore

Marshall Says of S.C. Vote Setup

Sat. 11-29-47

Noted Attorney Refutes State's Arguments to Have Judge Waring's Decision Overruled

BALTIMORE

"The functions of South Carolina's Democratic Party were not changed by the repealing of State laws governing the primaries," Thurgood Marshall, special NAACP counsel, declared here Tuesday in refuting arguments of white supremacists during hearing in the United States Circuit Court of Appeals.

In a dramatic plea, Mr. Marshall showed that the Democratic Party still elected representatives for the State, and urged the court to sustain the July 12 decision of Federal Judge J. Waites Waring, who ruled that all qualified electors, regardless of color, are entitled to vote in South Carolina's Democratic primaries.

Repealed State Laws in '44

Following a United States Supreme Court decision, opening Texas primaries to all voters. the pealed all State laws affecting primary elections.

At Tuesday's hearing, attorneys for the Democratic party argued that since the State had part in the primary, no Constitutional rights were involved and consequently the Federal courts had no jurisdiction.

Irvine F. Belser, attorney for the Democratic Party, described his organization as a "private club comparable to a country club with the right to restrict its membership." Sat. 11-29-47

Comparsion Held Ridiculous

Challenging the "country club" comparison, Mr. Marshall asserted: "If this country places the right to vote for Congressional representation and public leaders in the same category as voting for officials of a country club. then it might as well withdraw from the United Nations and chose up shop."

Moreover, Mr. Marshall pointed out that his client, George Elmore, was not asking to join a private club but simply petitioning for his constitutional right to vote in the only meaningful election in South Carolina.

Case Not Isolated One

Mr. Marshall said that the Elmore case is not an isolated one as the Democratic party contends, but just another battle in the old fight for the right to vote in the South. 11-29-47

"It is almost unbelievable," he declared, "that despite the 14th Amendments, colored persons have no vote in South Carolina today."

Answering Mr. Belser's suggestion that colored people form their own party, the NAACP counsel explained that a lack of sufficient funds was one reason that this was impractical. Baltimore md

Money the Main Barrier

"In South Carolina," he reminded the white supremacists, "you won't find colored people with the money to support a venture of this sort, simply because, down there, they are denied an opportunity to make money."

Circuit Judge Morris A. Soper asked Mr. Belser to assume, as a hypothecial case, that South Carolina should repeal all its laws protecting private property, leaving minority groups without State or public protection.

He than asked whether Federal courts, in such a case, should not interfere. Belser said that he thought they should.

Whites' Rights Held Violated

Speaking after Mr. Marshall, State Senator Christie Benet used a novel plea. He charged that the Waring ruling "violated the rights of white people and the rights of peaceful assembly.

Earlier, the 100-odd spectators laughed at what seemed an attempt to group Republicans and Communists in the same category. The humorous moment followed Mr. Belser's statement that "Republicans and Communists" were among those denied

Judges John J. Parker, Morris A. Soper and Armistead M. Dobie in the party.

In answer to a question by Judge Soper, Belser reluctantly admitted that South Carolina's Democratic party had no records showing that a white person had been denied membership for any reason.

Decision Expected in Month

A decision is expected in the case within a month.

Mr. Marshall was assisted by Harold R. Boulware, Columbia (S.C.) counsel.

PRINCIPALS IN WHITE PRIMARY CASE—Snapped by an AFRO cameraman as they left the U.S. Circuit Court of Appeals in Baltimore, Tuesday, following a hearing on an appeal governing the status of minority groups in South Carolina Democratic Primaries, are the above principals. Left to right, Dr W. R. Laney, Rock Hill, S.C.; James N. Hinton, NAACP head, of Columbia, S.C. NAACP; Harold R. Boulware, Columbia, S.C. NAACP attorney; George Elmore, plaintiff; Thurgood Marshall, NAACP counsel, and Mrs. Lillie Jackson, president, Baltimore NAACP branch.

Another Court Adventure

The News & Courier

Negroes intend to bring an action at law to prevent white men and women gathering on a day and voting for nominees for office. They are setting up that white people have no right to nominate officers without admitting them into their meetings. One reason that argues against the admission of negroes into white primaries (these "primaries" are not recognized by law in South Carolina) is that negroes have never demonstrated ability to hold primaries of their own and nominate candidates. Were 200,000 negroes in South Carolina to hold a primary and nominate it would be evidence of capacity to share in government. They would have to put up a considerable quantity of money. Negro leaders appear to wish white people to pay for primaries in which they can vote.

Would Let in the Negroes

The News and Courier

Have the Hannegans, Peppers and the Henry Wallaces an understanding of the principles and practices of the Democracy of Jefferson, Calhoun, Cleveland and Wilson superior to the "Democracy" of the negro preacher representing a district of New York city in congress?

Disregarding the matter of color, is any leader of "Democracy" in South Carolina prepared to prove that the white "Democracy" of 1947 is less diluted with State Socialism than is the Democracy to which many negroes now pretend? Mon.

How honest dare the white Democrats to be with themselves? 4-7-47

In South Carolina is no Democratic party holding primaries. The party holding them is a white skin party in which Republicans and Communists can vote if they wish.

The political industrialists have managed to confuse this party and control it by conventions which send delegates to national conventions. In this way they can trade for patronage. Charleston, S.C.

Unless the national "Democratic" organization in the state shall be separated from the white skin association that conducts primaries, the negro "Democrats" will have strong grounds upon which to appeal to the courts for the right to vote in the primaries.

If this thought has occurred to any of the specialists in statecraft in South Carolina, they have thought silence discreet.

If conventions in 1948 elect the management of the primaries and also elect the delegates to the national convention, they will thereby open a breach through which negroes may enter the primaries.

South Carolina Looks to Reform

The Constitution

"Just as no man can rise above his character, no state can rise above the character which his government possesses." Atlanta, Ga.

That is the belief upon which Gov. J. Strom Thurmond has pitched his new administration in South Carolina. 37e(2)

Accordingly, there are already indications that the Palmetto State is seeking a way out of the predicament into which it delivered itself in an effort to circumvent the Supreme Court ruling that the right to vote in primaries cannot be denied citizens on account of the color of their skin. Tues. 2-18-47

"Honest elections, expressing the will of the people at the ballot box, are the foundation of our representative form of government," Gov. Thurmond declared in his inaugural address. "The time has come when we should modernize our general election laws and thereby encourage our people to take more interest in such elections. Our present system has served its purpose and outlived its usefulness. We should replace our present 10-year registration of qualified voters with a system of permanent registration. We should put into effect the Australian or secret type ballot in general elections. We should give those counties which wish to use voting machines the legal authority to do so. We should remove the poll tax as a voting prerequisite. There has been much misguided agitation about the poll tax as a qualification for voting. Capacity, in accordance with other constitutional provisions, to exercise the right of franchise should be the only qualification of an elector. I recommend to the General Assembly the passage of the constitutional and statutory changes required to accomplish these objectives." Tues. 2-18-47

We, in Georgia, endeavoring to turn back the clock, can find little consolation in the fact that South Carolina, which has made the experiment even now is looking for a way out Atlanta, Ga.

White-Vote Law

New York, N. Y. Wed. 2-26-47

Daily Worker

The State of South Carolina is the defendant in a federal court suit challenging the constitutionality of its "white primary" law and testing similar laws passed in Georgia and pending in other states.

The NAACP office here said South Carolina and Georgia were attempting to evade a 1944 U.S. Supreme Court decision in the Texas primary case. The decision outlawed methods by which southern states had deprived Negroes of their voting rights for decades. Daily Worker

The NAACP suit, filed Feb. 21 against the election managers and the Democratic Executive Committee of Richland County, charges they refused to permit George Elmore, qualified Negro voter, to vote in the 1946 primary.

14TH AMENDMENT

Violation of the 14th Amendment is charged. The complaint declares that the South Carolina Legislature in 1944 repealed all primary statutes for the purpose of resting sole control of the primaries in the hands of the Democratic Party as such, and with the aim of blocking Negro voters in spite of the Supreme Court. 2-26-47

The complaint quotes the outright lynch-appeals by then Gov. Olin D. Johnston, now U. S. Senator, in his message calling the special session that repealed the primary laws:

"If these statutes are repealed, in my opinion, we will have done everything within our power to guarantee white supremacy in the primaries of our state insofar as legislation is concerned. Should this prove inadequate, we South Carolinains will use the necessary methods to retain white supremacy in our primaries and to safeguard the homes and happiness of our people. White supremacy will be retained in our primaries. Let the chips fall where they may."

If They Can, Why Don't They?

Charleston, S.C.

Were the negroes of South Carolina led by persons honest, bold, intelligent, they would hold exclusive primaries of their own. Were 250,000 negroes (last census reported 381,000 negro adults in the state) voting in primaries, the demonstration would command attention. It would cause white people to take notice of them. (Scalawags might make overtures.). The negroes now beginning a suit in federal court say that "denial to vote in the primary is denial to an effective general election vote". That is another way of saying, or confessing, "If we negroes can't get in with the white folks we are disfranchised." Never in history have the white Democrats in Vermont elected their nominees. But they always nominate. They do not admit inferiority by saying that they are disfranchised because they are not allowed to assist in nominating the Republican candidates who are invariably elected. The colored people in South Carolina, in the South, will never get anywhere until they shall prove ability and will to "go it alone", and this is applicable to them in the fields of industry and business as well as politics. Indeed, if they own farms and make them pay, if they build shops and make them pay, they win for themselves far better and greater rewards than politics and office-holding yield. The negroes have had 81 years, nearly three generations, of freedom, and if the time has not yet come when they can be independent and property-owning citizens, when will it come? In a few Southern spots they are proving capacity to take care of themselves, and one of them is Durham, North Carolina. Meanwhile The News and Courier insists and demands that the right to vote when they are qualified shall not be denied them and that in the distribution of funds raised for public service, as schools and playgrounds, they should have a share without discrimination as to race.

NAACP Sues to Void S. Carolina

Early Decision Pledged In Primary Suit

Montgomery Advertiser

Montgomery, Ala.

COLUMBIA, S. C., June 4.—(AP)—District Judge J. Waites Waring heard concluding arguments this afternoon in a two-day Federal Court suit seeking to open the South Carolina Democratic primaries to Negroes, and promised an early decision.

He gave attorneys 10 days in which to file additional briefs.

The suit was brought by George Elmore, Columbia Negro, who contended he was denied the right to vote in Democratic primaries, and asserted that the party was a "governmental function" even though unrecognized by law. Thurs. 6-5-47

The South Carolina legislature repealed its primary laws following a 1944 U. S. Supreme Court decision that Negroes could vote in Democratic primaries in Texas. Since then the primaries in this state have been conducted by the party itself as club affairs and limited to whites.

Attorneys for the Richland County (Columbia) Democratic Executive Committee, defendant, said the party was a private association with the right to limit its membership. Thurs. 6-5-47

Thurgood Marshall, attorney for the National Association for the Advancement of Colored People, told the judge today "the State of South Carolina made the primary election an integral part of the election machinery by enactment in 1915 of comprehensive election laws. Although these laws were repealed three years ago, he contended, "the primary goes on."

Democratic Party Sued for $5,000

Pittsburgh, Pa. Courier
Sat. 6-14-47

By LEM GRAVES JR., Pittsburgh Courier Press Service

COLUMBIA, S. C.—The battle for franchisement of Negroes in South Carolina as eligible voters in the Democratic primary continued to be fought here, as attorneys for both sides argued the white primary in a Federal Court. George A. Elmore, a taxi driver, has sued the Democratic party for $5,000 damages, charging his voting privileges have been denied him.

Attacking the action of the State Legislature in repealing all primary laws in the State, thereby giving the Democratic Party the status of an independent body, not amenable to State jurisdiction, Attorney Harold Boulware said that no other party held primaries in South Carolina, and if Negroes couldn't vote in the Democratic primary, then they had no voting opportunities as far as selection of candidates was concerned.

MARSHALL OPENS FIGHT

Thurgood S. Marshall, NAACP attorney, said before Federal Judge I. Waites Waring, that "the Constitution requires South Carolina to hold elections, and the primary is the election that determines the choice of candidates." Continued Mr. Marshall: "I don't think that the State can release its duty to hold these elections, unless South Carolina wants to take the position that its Congressmen are not properly elected." Sat. 6-14-47

Defense Attorney Irvine Belser declared that no statutory regulations governing primary elections existed. All control of the Democratic party in South Carolina was wiped out by legislative action. The plaintiff's lawyers charged that the Legislature's act was not a valid one, in that the members of the Legislature, and Governor Johnson himself, were all members of the Democratic party, and what they had done was to simply vote out the old laws, move elsewhere and make new ones.

The defense's answer to the suit was made by Chief Defense Attorney Christie Bene, who held that the Democratic party is not chartered under any law and operates under its own rules.

Presiding Judge Waring said that "if the Democratic party can prove it is a private organization with no statutes regulating it, then it is outside the jurisdiction of this or any other court. If, however, it is proved that the Democratic party is a State-controlled organization, then the Negroes win the case."

Judge Waring delayed a decision in the case, pending further study of the evidence and testimony submitted. Sat.-6-14-47

South Carolina Negroes Win Battle For Right To Ballot

Montgomery, Ala. Advertiser
Sun. 7-13-47

CHARLESTON, S. C., July 12 — (AP) — South Carolina Negroes won a court victory today in their fight for the right to participate in the state's Democratic primary, limited by party rules since 1944 exclusively to "white Democrats."

U. S. District Judge J. Waties Waring, tall, 66-year-old Charleston-born jurist, held that "Negroes are entitled to be enrolled to vote" in the Democratic primaries.

The case was brought by George Elmore, a Columbia Negro, who contended he had been denied enrollment because of his color.

Waring, in another case, turned the petition of John H. Wrighten, Charleston Negro, for a court order directing his admission to the University of South Carolina law school, but he ruled that Wrighten would be entitled to enter unless by the opening of the next school year the state provides an adequate course in the college for Negroes at Orangeburg. Sun.-7-13-47

One other alternative was possible, he said. That would be that "the state furnish no law school education to any persons of either the white or Negro races."

In the argument of the Elmore case early in June, attorneys for the Richland County (Columbia) Democratic Executive Committee and primary managers in one Columbia Democratic club, named as co-defendants, pointed out that in 1944 South Carolina repealed all statutes pertaining to primaries.

In consequence, they contended, the party had become a private organization with full authority to stipulate who was entitled to membership, and not subject to court regulation.

Taking note of this point, Waring commented, "to say that there is any material difference in the governance of the Democratic Party in this state prior to, and subsequent to, 1944, is pure sophistry."

The Georgia legislature provided for a similar primary setup by an act passed early this year, but it was vetoed.

No comment was forthcoming from Democratic Party officials immediately. Governor J. Strom Thurmond was flying to Salt Lake City to attend the national governors' conference, and State Chairman W. P. Baskin, of Bishopville, could not be reached. Christie Benet, Columbia lawyer who represented the defendants, withheld comment until after a study of the opinion. Sun.-7-13-47

Negro leaders, however, were quick to react. At Columbia, John H. McCreary, head of the Progressive (Negro) Democratic Party, called a special convention to meet in Columbia Wednesday to plan its future course.

Negro Voting Out Pending Appeal

The Columbia Record
Columbia, South Carolina

Temporary Stay Closes Democratic Primary; First Order Superseded

Tue.-8-19-47

By The Associated Press

U. S. District Judge George Bell Timmerman granted a temporary stay and writ of supersedeas here today of Judge J. Waties Waring's July 12 order that Negroes were entitled to vote in South Carolina Democratic primaries.

His action was at the request of attorneys for the state Democratic executive committee who have already served notice of appeal from Waring's ruling. The stay and supersedeas would be effective pending the outcome of the appeal.

Timmerman set the bond required by his order in the sum of $500. Tue.-8-18-47

The proceedings took less than 20 minutes. Irvine F. Belser of Columbia, one of the attorneys for the Democratic committee, told Timmerman that "it seems to us a supersedeas and stay would be in order."

Belser said Waring's order was "so general" that it "is somewhat confusing." He pointed out that the order covered "All Negroes" while the suit was brought only in the name of George Elmore, Columbia Negro merchant, against members of the Richland county Democratic executive committee.

Harold Boulware, Negro attorney, told Timmerman that in the petition of the Democratic attorneys for the stay order they said there would not be any primaries in the next year. "I have been informed," he said, "that there will be within the next year some primary elections" and Negroes would suffer "irreparable damage" if not allowed to vote.

Amount Bond

He asked too that the bond be "substantial enough to cover every qualified Negro elector in South Carolina" but Timmerman told him Waring's order applied only to the Eastern federal court district of the state. Tue.-8-18-47

"The jurisdiction of the judges in the Eastern district does not necessarily apply to the Western district," Timmerman said.

In fixing the bond, Timmerman asked Boulware for a suggestion. The attorney suggested "at least $5,000," because that was the amount claimed by Elmore as damages in his suit against the Richland Democratic committee.

Belser said in his turn that he thought the bond should "be substantially the same as for an ordinary appeal." He suggested $250.

Negro Voters 'White Primaries' Still Defy Verdict Of Supreme Court

COLUMBIA, S. C. — The suit attacking the trick to make the Democratic Party of South Carolina a "white man's private club" for the purpose of evading the U.S. Supreme Court decision in the Texas "lily white" primary case in 1944, was argued in Federal District Court here this week.

The suit, filed on behalf of George Elmore and other qualified Negro voters of Richland County, names the Democratic executive committee and the county election managers as defendants for refusing to allow Negroes to vote in the party primaries since the 1944 decision. Following the Texas case, South Carolina repealed all laws regulating the primary elections in an effort to make the Democratic Party no longer a state agency, but a private association, and thus exempt from the Supreme Court ruling.

Perform Same Functions

Attorneys Thurgood Marshall, Robert L. Carter and Harold Boulware, sent by the NAACP to press the suit on behalf of Negro voters of the state, urged that dissolution of the Democratic Party under state law is an illegal evasion, inasmuch as the party organization still performs the same functions of choosing and supporting party candidates in the primaries, which are tantamount to election.

Acting on the legal fiction that it is a private club, the party has refused to permit qualified Negro voters to vote in the Democratic primaries despite the high court ruling in the Texas case.

It is the claim of the NAACP attorneys that the Democratic Party still performs the functions of a state agency, and thus limits the constitutional rights of Negroes in the state to vote as guaranteed by the Fifteenth Amendment.

Charge Trick Used To Bar

Chicago, Ill.

37f 1947

Julia Brooks Candidate of Labor Dept.

Afro-American 1-18-47 Sat. Baltimore, Md.

WASHINGTON
By NNPA

Secretary of Labor Lewis B. Schwellenbach has reversed the decision of Marie Gurley, white personnel director of the United States Employment Service, in barring a colored woman from representing the Labor Department in the Civil Service Commission's interne program for federal workers and will nominate her as the Department's representative this week, it was learned last Friday.

Scored Over 400

The woman, Miss Julia Brooks of Washington, D.C., was denied a chance to represent the agency by Miss Gurley, after she had placed highest in an agency-wide competition with 400 other employees and received the recommendation of the certifying committee. Miss Gurley ruled that since Miss Brook was an indefinite war service appointee she could not represent the agency in the six month's training program sponsored by Civil Service.

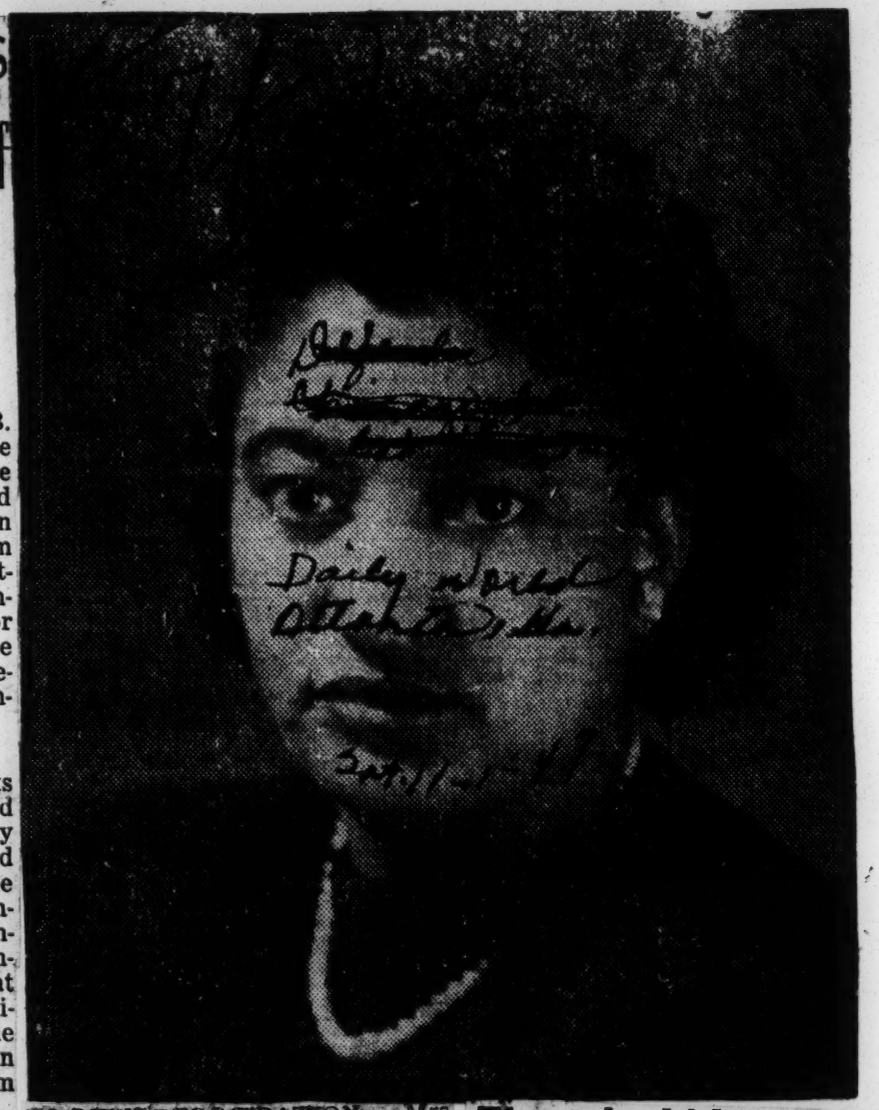
Miss Brooks was sent last week to take the examination in competition with 100 representatives of other Federal agencies in Washington, from whom thirty will be selected to take the training in government operations, it was learned. 1-18-47 Sat.

Gets Union Aid

The reversal came after an NNPA article on the case, published in the press, came to the attention of officials of the United Public Workers of America, who took the matter up with Miss Gurley and later with Secretary Schwellenbach.

It was further learned that in representing Miss Brooks, the union did not make charges that she had been discriminated against because she was colored, but that she had been discriminated against because she was a war service appointee. The Labor Secretary upheld the union's grievance.

Miss Brooks, the granddaughter of the late Rev. Walter Brooks, who was pastor of the Nineteenth Street Baptist Church, is a graduate of Howard University, a native of Washington and a former resident of Akron, Ohio.



TO PUSH REGISTRATION — Mrs Lou Turner is the choice of General Longshore Workers' Local 1419 of New Orleans for the full time, salaried position as head of the newly instituted Registration School to assist members to qualify to vote in the coming elections.

Negro woman elected to Canton council

37f

Tribune Herald

CANTON, O. — This city elected its first Negro woman to the city council last week. Mrs. Esther Archer, who beat out a man of her race, is also believed to be the first Negro woman ever elected to the council of any U. S. city.

A second Ohio Negro woman was defeated in Cleveland by the incumbent, also a Negro, Augustus Parker. Two other Cleveland Negroes were elected. Sat. 11-8

Negroes won council seats, two, in Cincinnati, and in Toledo, one. In Dayton, Joseph McLin, Negro mortician, lost out 11-15-47

Florida Women Launch Drive to Register 50,000 Voters

Afro-American, Baltimore, Md. 37f

Sat. 10-4-47

TAMPA, Fla.—(ANP)—A statewide drive to register and train 50,000 potential voters was launched here Tuesday, at a general mass meeting of the Florida Women's Civic forum of Unity Bell Truth Association. 10-4-47

The mass meeting, held in Tyer Temple Methodist Church, of which Dr. G. T. Tyer is pastor, was known as "Dr. Mary McLeod Bethune Day." 10-4-47

Principal speaker at the meeting was Dr. Bethune, founder-president of the National Council of Negro Women; founder-president emeritus of the Bethune-Cookman college, and memor of the National Women's Democratic Committee

Voting Urged

In her address, Mrs Bethune said:

"If we are to move forward at all in the South or elsewhere advance, we must stand up and be counted with those who are casting their votes. I am concerned about the necessity of getting ready for the issues as they come up; to give every man, woman and child over 21, his or her fair chance for the casting of our ballot for those men and women who have a sense of justice and democratic courage.

"We women must take the lead, and we are doing it. It is one of the big jobs of the National Council of Negro Women to prepare our women for the vote and to give them the instruction they need."

According to Mrs. Louis Bell evangelist and founder and executive-director of the civic forum, the project is not a factional nor party effort. It is a non-partisan united front, to register the tenants of every house, apartment and residence in Florida. Sat. 10-4-47

Chairman of the sponsoring committee was Mrs. M. L. Rogers, organizer of the Tampa Housewives League. 37f

Socialists put up Negro woman for N. Y. senate

Los Angeles Tribune
Calif. Los Angeles
Sat. 7-26

NEW YORK — One of two Socialist candidates in the New York city elections this year will be a Negro woman, Layle Lane, former vice president of the American Federation of Teachers, and several times Socialist candidate for city and state comptroller, for Congress and for the city council.

Miss Lane is Georgia-born and holds degrees up to a master's from Howard and Columbia universities and Hunter college.

She will run for the state senate. Sat. 7-26-47

11-1-47 Sat

VIRGINIA SEYMOUR, former administrative assistant to the Federal FEPC regional director in the West, has been appointed executive director of the Western Pennsylvania Progressive Citizens of America, PCA announced last week. She was active in last year's state-wide campaign in California for a popular referendum on FEPC. Her new headquarters will be at 3619 Forbes st., Pittsburgh.

37f 1947

Mrs. Thomasina W. Johnson

Only Two To Remain In Labor Minority Section

Fri. 7-18-47 37f

Atlanta, Ga. Daily World

WASHINGTON, D. C.—(NNPA)—The Labor Department said last Monday that due to cuts in its appropriations, the personnel ceiling of the United States Employment Service, which formerly had 861 employees, has been cut to 370.

The Department said Mrs. Thomasina W. Johnson and her secretary, Miss Mary Pipes, will be the only persons left in the minority groups section.

Lyle Garlock, assistant director of the USES, said that the final appropriation made by Congress for the USES will not permit a recall of any of the professional colored workers who were placed on forced furloughs when the House cut funds for the agency. Fri. 7-18-47

These employes included Roy Ellis, who held a staff position in the USES, Lawrence A. Oxley and Kenneth Banks, labor specialists, and Samuel Danley, labor analyst, and others who held jobs paying more than $5,000 a year.